

FILED

APR 03 2018

**OKLAHOMA SECRETARY
OF STATE**

Proposed Ballot Title:

Shall there be an amendment to the Oklahoma constitution concerning adult use marijuana, and, in connection therewith, providing for the regulation of marijuana; permitting a person twenty-one years of age or older to consume or possess limited amounts of marijuana; providing for the licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores; permitting local governments to regulate or prohibit such facilities; requiring the general assembly to enact an excise tax to be levied upon wholesale sales of marijuana; requiring that the first \$40 million in revenue raised annually by such tax be credited to the public school capital construction assistance fund; and requiring the general assembly to enact legislation governing the cultivation, processing, and sale of industrial hemp.

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OKLAHOMA SECRETARY
OF STATE

State Question No.

797

Initiative Petition No.

418

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

Initiative Petition

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election to be held on the ___ day of November, 20___, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is: Shall the following proposed amendment to the Constitution be approved?

Text of Measure:

Be it Enacted by the People of the State of Oklahoma:

The constitution of the State of Oklahoma is hereby amended BY THE ADDITION OF A NEW SECTION, SECTION 31, to read:

Section 31. Use and regulation of marijuana

Section 1: Purpose and findings.

(A) IN THE INTEREST OF THE EFFICIENT USE OF LAW ENFORCEMENT RESOURCES, ENHANCING REVENUE FOR PUBLIC PURPOSES, AND INDIVIDUAL FREEDOM, THE PEOPLE OF THE STATE OF OKLAHOMA FIND AND DECLARE THAT THE USE OF MARIJUANA SHOULD BE LEGAL FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER AND TAXED IN A MANNER SIMILAR TO ALCOHOL.

(B) IN THE INTEREST OF THE HEALTH AND PUBLIC SAFETY OF OUR CITIZENRY, THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT MARIJUANA SHOULD BE REGULATED IN A MANNER SIMILAR TO ALCOHOL SO THAT:

(1) INDIVIDUALS WILL HAVE TO SHOW PROOF OF AGE BEFORE PURCHASING MARIJUANA;

(2) SELLING, DISTRIBUTING, OR TRANSFERRING MARIJUANA TO MINORS AND OTHER INDIVIDUALS UNDER THE AGE OF TWENTY-ONE SHALL REMAIN ILLEGAL;

(3) DRIVING UNDER THE INFLUENCE OF MARIJUANA SHALL REMAIN ILLEGAL;

(4) LEGITIMATE, TAXPAYING BUSINESS PEOPLE, AND NOT CRIMINAL ACTORS, WILL CONDUCT SALES OF MARIJUANA; AND

(5) MARIJUANA SOLD IN THIS STATE WILL BE LABELED AND SUBJECT TO ADDITIONAL REGULATIONS REGARDING LABELING AND PRODUCT INFORMATION TO ENSURE THAT CONSUMERS ARE INFORMED AND PROTECTED.

(C) IN THE INTEREST OF ENACTING RATIONAL POLICIES FOR THE TREATMENT OF ALL VARIATIONS OF THE CANNABIS PLANT, THE PEOPLE OF OKLAHOMA FURTHER FIND AND DECLARE THAT INDUSTRIAL HEMP SHOULD BE REGULATED SEPARATELY FROM STRAINS OF CANNABIS WITH HIGHER DELTA-9 TETRAHYDROCANNABINOL (THC) CONCENTRATIONS.

(D) THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT IT IS NECESSARY TO ENSURE CONSISTENCY AND FAIRNESS IN THE APPLICATION OF THIS SECTION THROUGHOUT THE STATE AND THAT, THEREFORE, THE MATTERS ADDRESSED BY THIS SECTION ARE, EXCEPT AS SPECIFIED HEREIN, MATTERS OF STATEWIDE CONCERN.

Section 2: Definitions. AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES,

(A) "OKLAHOMA MEDICAL MARIJUANA CODE" MEANS TITLE 37B, A NEW TITLE OF THE OKLAHOMA REVISED STATUTES.

(B) "CONSUMER" MEANS A PERSON TWENTY-ONE YEARS OF AGE OR OLDER WHO PURCHASES MARIJUANA OR MARIJUANA PRODUCTS FOR PERSONAL USE BY PERSONS TWENTY-ONE YEARS OF AGE OR OLDER, BUT NOT FOR RESALE TO OTHERS.

(C) "DEPARTMENT" MEANS THE OKLAHOMA TAX COMMISSION OR ITS SUCCESSOR AGENCY.

(D) "INDUSTRIAL HEMP" MEANS THE PLANT OF THE GENUS CANNABIS AND ANY PART OF SUCH PLANT, WHETHER GROWING OR NOT, WITH A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION THAT DOES NOT EXCEED THREE- TENTHS PERCENT ON A DRY WEIGHT BASIS.

(E) "LOCALITY" MEANS A COUNTY, MUNICIPALITY, OR CITY AND COUNTY.

(F) "MARIJUANA" OR "MARIHUANA" MEANS ALL PARTS OF THE PLANT OF THE GENUS CANNABIS WHETHER GROWING OR NOT, THE SEEDS THEREOF, THE RESIN EXTRACTED FROM ANY PART OF THE PLANT, AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT, ITS SEEDS, OR ITS RESIN, INCLUDING MARIHUANA CONCENTRATE. "MARIJUANA" OR "MARIHUANA" DOES NOT INCLUDE INDUSTRIAL HEMP, NOR DOES IT INCLUDE FIBER PRODUCED FROM THE STALKS, OIL, OR CAKE MADE FROM THE SEEDS OF THE PLANT, STERILIZED SEED OF THE PLANT WHICH IS

INCAPABLE OF GERMINATION, OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH MARIJUANA TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK, OR OTHER PRODUCT.

(G) "MARIJUANA ACCESSORIES" MEANS ANY EQUIPMENT, PRODUCTS, OR MATERIALS OF ANY KIND WHICH ARE USED, INTENDED FOR USE, OR DESIGNED FOR USE IN PLANTING, PROPAGATING, CULTIVATING, GROWING, HARVESTING, COMPOSTING, MANUFACTURING, COMPOUNDING, CONVERTING, PRODUCING, PROCESSING, PREPARING, TESTING, ANALYZING, PACKAGING, REPACKAGING, STORING, VAPORIZING, OR CONTAINING MARIJUANA, OR FOR INGESTING, INHALING, OR OTHERWISE INTRODUCING MARIJUANA INTO THE HUMAN BODY.

(H) "MARIJUANA CULTIVATION FACILITY" MEANS AN ENTITY LICENSED TO CULTIVATE, PREPARE, AND PACKAGE MARIJUANA AND SELL MARIJUANA TO RETAIL MARIJUANA STORES, TO MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND TO OTHER MARIJUANA CULTIVATION FACILITIES, BUT NOT TO CONSUMERS.

(I) "MARIJUANA ESTABLISHMENT" MEANS A MARIJUANA CULTIVATION FACILITY, A MARIJUANA TESTING FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE.

(J) "MARIJUANA PRODUCT MANUFACTURING FACILITY" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA; MANUFACTURE, PREPARE, AND PACKAGE MARIJUANA PRODUCTS; AND SELL MARIJUANA AND MARIJUANA PRODUCTS TO OTHER MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO RETAIL MARIJUANA STORES, BUT NOT TO CONSUMERS.

(K) "MARIJUANA PRODUCTS" MEANS CONCENTRATED MARIJUANA PRODUCTS AND MARIJUANA PRODUCTS THAT ARE COMPRISED OF MARIJUANA AND OTHER INGREDIENTS AND ARE INTENDED FOR USE OR CONSUMPTION, SUCH AS, BUT NOT LIMITED TO, EDIBLE PRODUCTS, OINTMENTS, AND TINCTURES.

(L) "MARIJUANA TESTING FACILITY" MEANS AN ENTITY LICENSED TO ANALYZE AND CERTIFY THE SAFETY AND POTENCY OF MARIJUANA.

(M) "MEDICAL MARIJUANA CENTER" MEANS AN ENTITY LICENSED BY A STATE AGENCY TO SELL MARIJUANA AND MARIJUANA PRODUCTS PURSUANT TO SECTION 14 OF THIS ARTICLE.

(N) "RETAIL MARIJUANA STORE" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA FROM MARIJUANA CULTIVATION FACILITIES AND MARIJUANA AND MARIJUANA PRODUCTS FROM MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS.

(O) "UNREASONABLY IMPRACTICABLE" MEANS THAT THE MEASURES NECESSARY TO COMPLY WITH THE REGULATIONS REQUIRE SUCH A HIGH INVESTMENT OF RISK, MONEY, TIME, OR

ANY OTHER RESOURCE OR ASSET THAT THE OPERATION OF A MARIJUANA ESTABLISHMENT IS NOT WORTHY OF BEING CARRIED OUT IN PRACTICE BY A REASONABLY PRUDENT BUSINESSPERSON.

Section 3: Personal use of marijuana. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR THE LAW OF ANY LOCALITY WITHIN OKLAHOMA OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) POSSESSING, USING, DISPLAYING, PURCHASING, OR TRANSPORTING MARIJUANA ACCESSORIES OR TWO OUNCES OR LESS OF MARIJUANA.

(B) TRANSFER OF ONE OUNCE OR LESS OF MARIJUANA WITHOUT REMUNERATION TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(C) CONSUMPTION OF MARIJUANA, PROVIDED THAT NOTHING IN THIS SECTION SHALL PERMIT CONSUMPTION THAT IS CONDUCTED OPENLY AND PUBLICLY OR IN A MANNER THAT ENDANGERS OTHERS.

(D) MARIJUANA USERS MAY NOT BE CHARGED WITH DUI OR DWI OR ANY OTHER CHARGE OF MARIJUANA INTOXICATION OR IMPAIRMENT BASED ON THE RESULTS OF BLOOD, URINE, BREATH TEST, OR ODOR OF MARIJUANA. A FIELD SOBRIETY TEST MUST BE ADMINISTERED TO PROVE IMPAIRMENT TO CHARGE A MARIJUANA USER WITH DUI OR DWI. THESE FIELD SOBRIETY TESTS MUST BE VIDEOED TO BE USED AS EVIDENCE OF IMPAIRMENT AND FAILURE TO DO SO SHALL REQUIRE THAT THE COURT DISMISS THE CHARGES WITH PREJUDICE.

(E) ASSISTING ANOTHER PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER IN ANY OF THE ACTS DESCRIBED IN PARAGRAPHS (A) THROUGH (D) OF THIS SECTION.

Section 4: Lawful operation of marijuana-related facilities. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) MANUFACTURE, POSSESSION, OR PURCHASE OF MARIJUANA ACCESSORIES OR THE SALE OF MARIJUANA ACCESSORIES TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(B) POSSESSING, DISPLAYING, OR TRANSPORTING MARIJUANA OR MARIJUANA PRODUCTS; PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY; OR SALE OF MARIJUANA OR MARIJUANA PRODUCTS TO CONSUMERS, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS

PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A RETAIL MARIJUANA STORE OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE OR AGENT OF A LICENSED RETAIL MARIJUANA STORE.

(C) CULTIVATING, HARVESTING, PROCESSING, PACKAGING, TRANSPORTING, DISPLAYING, OR POSSESSING MARIJUANA; DELIVERY OR TRANSFER OF MARIJUANA TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA TO A MARIJUANA CULTIVATION FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE; OR THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA CULTIVATION FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA CULTIVATION FACILITY.

(D) PACKAGING, PROCESSING, TRANSPORTING, MANUFACTURING, DISPLAYING, OR POSSESSING MARIJUANA OR MARIJUANA PRODUCTS; DELIVERY OR TRANSFER OF MARIJUANA OR MARIJUANA PRODUCTS TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA OR MARIJUANA PRODUCTS TO A RETAIL MARIJUANA STORE OR A MARIJUANA PRODUCT MANUFACTURING FACILITY; THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; OR THE PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA PRODUCT MANUFACTURING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA PRODUCT MANUFACTURING FACILITY.

(E) POSSESSING, CULTIVATING, PROCESSING, REPACKAGING, STORING, TRANSPORTING, DISPLAYING, TRANSFERRING OR DELIVERING MARIJUANA OR MARIJUANA PRODUCTS IF THE PERSON HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA TESTING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA TESTING FACILITY.

(F) LEASING OR OTHERWISE ALLOWING THE USE OF PROPERTY OWNED, OCCUPIED OR CONTROLLED BY ANY PERSON, CORPORATION OR OTHER ENTITY FOR ANY OF THE ACTIVITIES CONDUCTED LAWFULLY IN ACCORDANCE WITH PARAGRAPHS (A) THROUGH (F) OF THIS SECTION.

Section 5: Regulation of marijuana.

(A) NOT LATER THAN JUNE 1, 2019, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR IMPLEMENTATION OF THIS SECTION. SUCH REGULATIONS SHALL NOT PROHIBIT THE OPERATION OF MARIJUANA ESTABLISHMENTS, EITHER EXPRESSLY OR THROUGH REGULATIONS THAT MAKE THEIR OPERATION UNREASONABLY IMPRACTICABLE. SUCH REGULATIONS SHALL INCLUDE:

(1) PROCEDURES FOR THE ISSUANCE, RENEWAL, SUSPENSION, AND REVOCATION OF A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT, WITH SUCH PROCEDURES SUBJECT TO ALL REQUIREMENTS OF TITLE 75 SECTION 250 ET SEQ OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION;

(2) A SCHEDULE OF APPLICATION, LICENSING AND RENEWAL FEES, PROVIDED, APPLICATION FEES SHALL NOT EXCEED THIRTY THOUSAND DOLLARS, WITH THIS UPPER LIMIT ADJUSTED ANNUALLY FOR INFLATION, UNLESS THE DEPARTMENT DETERMINES A GREATER FEE IS NECESSARY TO CARRY OUT ITS RESPONSIBILITIES UNDER THIS SECTION, AND PROVIDED FURTHER, AN ENTITY THAT IS LICENSED UNDER OKLAHOMA LAW TO CULTIVATE OR SELL MARIJUANA OR TO MANUFACTURE MARIJUANA PRODUCTS AT THE TIME THIS SECTION TAKES EFFECT AND THAT CHOOSES TO APPLY FOR A SEPARATE MARIJUANA ESTABLISHMENT LICENSE SHALL NOT BE REQUIRED TO PAY AN APPLICATION FEE GREATER THAN TEN THOUSAND DOLLARS TO APPLY FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION;

(3) QUALIFICATIONS FOR LICENSURE THAT ARE DIRECTLY AND DEMONSTRABLY RELATED TO THE OPERATION OF A MARIJUANA ESTABLISHMENT;

(4) SECURITY REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS;

(5) REQUIREMENTS TO PREVENT THE SALE OR DIVERSION OF MARIJUANA AND MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE;

(6) LABELING REQUIREMENTS FOR MARIJUANA AND MARIJUANA PRODUCTS SOLD OR DISTRIBUTED BY A MARIJUANA ESTABLISHMENT;

(7) HEALTH AND SAFETY REGULATIONS AND STANDARDS FOR THE MANUFACTURE OF MARIJUANA PRODUCTS AND THE CULTIVATION OF MARIJUANA;

(8) RESTRICTIONS ON THE ADVERTISING AND DISPLAY OF MARIJUANA AND MARIJUANA PRODUCTS; AND

(9) CIVIL PENALTIES FOR THE FAILURE TO COMPLY WITH REGULATIONS MADE PURSUANT TO THIS SECTION.

(B) IN ORDER TO ENSURE THE MOST SECURE, RELIABLE, AND ACCOUNTABLE SYSTEM FOR THE PRODUCTION AND DISTRIBUTION OF MARIJUANA AND MARIJUANA PRODUCTS IN ACCORDANCE WITH THIS SECTION, IN ANY COMPETITIVE APPLICATION PROCESS THE DEPARTMENT SHALL HAVE AS A PRIMARY CONSIDERATION WHETHER AN APPLICANT:

(1) HAS PRIOR EXPERIENCE PRODUCING OR DISTRIBUTING

ALCOHOLIC BEVERAGES OR MARIJUANA OR MARIJUANA PRODUCTS IN THE LOCALITY IN WHICH THE APPLICANT SEEKS TO OPERATE A MARIJUANA ESTABLISHMENT;

(2) CURRENTLY POSSESSES A PROFESSIONAL LICENSE ISSUED BY THE STATE OF OKLAHOMA WHICH REQUIRED THE APPLICANT TO UNDERGO A CRIMINAL BACKGROUND CHECK AND CHARACTER AND/OR FITNESS EVALUATION PRIOR TO ISSUANCE OF SAID LICENSE;

(3) IS A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHIC MEDICINE;

(4) HAS BEEN A RESIDENT OF THE STATE OF OKLAHOMA FOR MORE THAN TEN YEARS; AND

(5) HAS, DURING THE EXPERIENCE DESCRIBED IN SUBPARAGRAPH (1), COMPLIED CONSISTANTLY WITH ALL REGULATIONS RELATED THERETO.

(C) IN ORDER TO ENSURE THAT INDIVIDUAL PRIVACY IS PROTECTED, THE DEPARTMENT SHALL NOT REQUIRE A CONSUMER TO PROVIDE A RETAIL MARIJUANA STORE WITH PERSONAL INFORMATION OTHER THAN GOVERNMENT-ISSUED IDENTIFICATION TO DETERMINE THE CONSUMER'S AGE, AND A RETAIL MARIJUANA STORE SHALL NOT BE REQUIRED TO ACQUIRE AND RECORD PERSONAL INFORMATION ABOUT CONSUMERS OTHER THAN INFORMATION TYPICALLY ACQUIRED IN A FINANCIAL TRANSACTION CONDUCTED AT A RETAIL LIQUOR STORE.

(D) THE OKLAHOMA LEGISLATURE SHALL ENACT AN EXCISE TAX TO BE LEVIED UPON MARIJUANA SOLD OR OTHERWISE TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY TO A MARIJUANA PRODUCT MANUFACTURING FACILITY OR TO A RETAIL MARIJUANA STORE AT A RATE NOT TO EXCEED FIFTEEN PERCENT PRIOR TO JANUARY 1, 2020 AND SHALL DIRECT THE DEPARTMENT TO ESTABLISH PROCEDURES FOR THE COLLECTION OF ALL TAXES LEVIED. PROVIDED, THE FIRST FIFTY MILLION DOLLARS IN REVENUE RAISED ANNUALLY FROM ANY SUCH EXCISE TAX SHALL BE DIVIDED AND DISTRIBUTED TO ALL SCHOOL DISTRICTS IN THE STATE OF OKLAHOMA PROPORTANTE TO THE TOTAL PERCENTAGE OF ENROLLED STUDENTS IN EACH DISTRICT AS COMPARED TO THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE STATE OF OKLAHOMA. ALL FUNDS RECEIVED BY ANY SCHOOL DISTRICT SHALL BE USED ONLY FOR TEACHER COMPENSATION, WHICH MAY INCLUDE BENEFITS, AND MAY NOT BE USED TO PAY SCHOOL DISTRICT ADMINISTRATION ABOVE THE INDIVIDUAL SCHOOL LEVEL. NOTHING IN THIS SECTION SHALL BE DEEMED A LIMITATION ON THE STATE OF OKLAHOMA TO AUTHORIZE THE USE OF MARIJUANA FOR MEDICINAL PURPOSES AND TO TAX SUCH MARIJUANA AT A LOWER RATE THAN OUTLINED HEREIN.

(E) PROVIDED FURTHER, A STATEWIDE SALES TAX WILL BE ESTABLISHED NOT TO EXCEED 20%. THIS TAX WILL BE COLLECTED AT THE POINT OF RETAIL SALE. THIS TAX SHALL BE DIVIDED WITH 50% GOING TO THE OKLAHOMA STATE

DEPARTMENT OF EDUCATION GENERAL FUND AND 25% GOING TO THE OKLAHOMA STATE DEPARTMENT OF HEALTH AND EARMARKED FOR DRUG AND ALCOHOL REHABILITATION AND 25% GOING TO THE STATE OF OKLAHOMA GENERAL FUND.

(F) NOT LATER THAN July 1, 2020, EACH LOCALITY SHALL ENACT AN ORDINANCE OR REGULATION SPECIFYING THE ENTITY WITHIN THE LOCALITY THAT IS RESPONSIBLE FOR PROCESSING APPLICATIONS SUBMITTED FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE BOUNDARIES OF THE LOCALITY AND FOR THE ISSUANCE OF SUCH LICENSES SHOULD THE ISSUANCE BY THE LOCALITY BECOME NECESSARY BECAUSE OF A FAILURE BY THE DEPARTMENT TO ADOPT REGULATIONS PURSUANT TO PARAGRAPH (A) OR BECAUSE OF A FAILURE BY THE DEPARTMENT TO PROCESS AND ISSUE LICENSES AS REQUIRED BY PARAGRAPH (G).

(G) A LOCALITY MAY ENACT ORDINANCES OR REGULATIONS, NOT IN CONFLICT WITH THIS SECTION OR WITH REGULATIONS OR LEGISLATION ENACTED PURSUANT TO THIS SECTION, GOVERNING THE TIME, PLACE, MANNER AND NUMBER OF MARIJUANA ESTABLISHMENT OPERATIONS; ESTABLISHING PROCEDURES FOR THE ISSUANCE, SUSPENSION, AND REVOCATION OF A LICENSE ISSUED BY THE LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I), SUCH PROCEDURES TO BE SUBJECT TO ALL REQUIREMENTS OF TITLE 75, SECTION 250 ET SEQ. OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION; ESTABLISHING A SCHEDULE OF ANNUAL OPERATING, LICENSING, AND APPLICATION FEES FOR MARIJUANA ESTABLISHMENTS, PROVIDED, THE APPLICATION FEE SHALL ONLY BE DUE IF AN APPLICATION IS SUBMITTED TO A LOCALITY IN ACCORDANCE WITH PARAGRAPH (I) AND A LICENSING FEE SHALL ONLY BE DUE IF A LICENSE IS ISSUED BY A LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I); AND ESTABLISHING CIVIL PENALTIES FOR VIOLATION OF AN ORDINANCE OR REGULATION GOVERNING THE TIME, PLACE, AND MANNER OF A MARIJUANA ESTABLISHMENT THAT MAY OPERATE IN SUCH LOCALITY. A LOCALITY MAY PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH AN INITIATED OR REFERRED MEASURE; PROVIDED, ANY INITIATED OR REFERRED MEASURE TO PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES MUST APPEAR ON A GENERAL ELECTION BALLOT DURING AN EVEN NUMBERED YEAR.

(H) EACH APPLICATION FOR AN ANNUAL LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT SHALL BE SUBMITTED TO THE DEPARTMENT. THE DEPARTMENT SHALL:

(1) BEGIN ACCEPTING AND PROCESSING APPLICATIONS ON January 2, 2020;

(2) IMMEDIATELY FORWARD A COPY OF EACH APPLICATION AND HALF OF THE LICENSE APPLICATION FEE TO THE LOCALITY IN WHICH THE APPLICANT DESIRES TO OPERATE THE MARIJUANA ESTABLISHMENT;

(3) ISSUE AN ANNUAL LICENSE TO THE APPLICANT BETWEEN FORTY-FIVE AND NINETY DAYS AFTER RECEIPT OF AN APPLICATION UNLESS THE DEPARTMENT FINDS THE APPLICANT IS NOT IN COMPLIANCE WITH REGULATIONS ENACTED PURSUANT TO PARAGRAPH (A) OR THE DEPARTMENT IS NOTIFIED BY THE RELEVANT LOCALITY THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) AND IN EFFECT AT THE TIME OF APPLICATION, PROVIDED, WHERE A LOCALITY HAS ENACTED A NUMERICAL LIMIT ON THE NUMBER OF MARIJUANA ESTABLISHMENTS AND A GREATER NUMBER OF APPLICANTS SEEK LICENSES, THE DEPARTMENT SHALL SOLICIT AND CONSIDER INPUT FROM THE LOCALITY AS TO THE LOCALITY'S PREFERENCE OR PREFERENCES FOR LICENSURE; AND

(4) UPON DENIAL OF AN APPLICATION, NOTIFY THE APPLICANT IN WRITING OF THE SPECIFIC REASON FOR ITS DENIAL AND DETAILING ALL STEPS THE APPLICANT MUST TAKE IN ORDER TO OBTAIN A LICENSE. APPLICANT MAY SUBMIT ONE ADDITIONAL APPLICATION WITHOUT FEE SHOULD APPLICANT BE DENIED ON AN INITIAL APPLICATION.

(H) IF THE DEPARTMENT DOES NOT ISSUE A LICENSE TO AN APPLICANT WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION FILED IN ACCORDANCE WITH PARAGRAPH (G) AND DOES NOT NOTIFY THE APPLICANT OF THE SPECIFIC REASON FOR ITS DENIAL, IN WRITING AND WITHIN SUCH TIME PERIOD, OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) AND HAS ACCEPTED APPLICATIONS PURSUANT TO PARAGRAPH (G) BUT HAS NOT ISSUED ANY LICENSES BY JULY 1, 2020, THE APPLICANT MAY RESUBMIT ITS APPLICATION DIRECTLY TO THE LOCALITY, PURSUANT TO PARAGRAPH (E), AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE RESUBMITTED APPLICATION UNLESS THE LOCALITY FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME THE APPLICATION IS RESUBMITTED AND THE LOCALITY SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. IF AN APPLICATION IS SUBMITTED TO A LOCALITY UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL FORWARD TO THE LOCALITY THE APPLICATION FEE PAID BY THE APPLICANT TO THE DEPARTMENT UPON REQUEST BY THE LOCALITY. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS ONLY

UPON RESUBMISSION TO THE LOCALITY OF A NEW APPLICATION SUBMITTED TO THE DEPARTMENT PURSUANT TO PARAGRAPH (G). NOTHING IN THIS PARAGRAPH SHALL LIMIT SUCH RELIEF AS MAY BE AVAILABLE TO AN AGGRIEVED PARTY FOR FAILURE TO ISSUE A LICENSE.

(I) IF THE DEPARTMENT DOES NOT ADOPT REGULATIONS REQUIRED BY PARAGRAPH (A), AN APPLICANT MAY SUBMIT AN APPLICATION DIRECTLY TO A LOCALITY AFTER JANUARY 1, 2020 AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION UNLESS IT FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME OF APPLICATION AND SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS IF THE DEPARTMENT HAS NOT ADOPTED REGULATIONS REQUIRED BY PARAGRAPH (A) AT LEAST ONE HUNDRED AND EIGHTY DAYS PRIOR TO THE DATE UPON WHICH SUCH SUBSEQUENT OR RENEWED LICENSE WOULD BE EFFECTIVE OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) BUT HAS NOT, AT LEAST NINETY DAYS AFTER THE ADOPTION OF SUCH REGULATIONS, ISSUED LICENSES PURSUANT TO PARAGRAPH (G).

(J) NOT LATER THAN NOVEMBER 1, 2020, THE OKLAHOMA LEGISLATURE SHALL ENACT LEGISLATION GOVERNING THE CULTIVATION, PROCESSING AND SALE OF INDUSTRIAL HEMP.

Section 6: Employers, driving, minors and control of property.

(A) NOTHING IN THIS SECTION IS INTENDED TO REQUIRE AN EMPLOYER TO PERMIT OR ACCOMMODATE THE USE, CONSUMPTION, POSSESSION, TRANSFER, DISPLAY, TRANSPORTATION, SALE OR GROWING OF MARIJUANA IN THE WORKPLACE OR TO AFFECT THE ABILITY OF EMPLOYERS TO HAVE POLICIES RESTRICTING THE USE OF MARIJUANA BY EMPLOYEES.

(B) NOTHING IN THIS SECTION IS INTENDED TO ALLOW DRIVING UNDER THE INFLUENCE OF MARIJUANA OR DRIVING WHILE IMPAIRED BY MARIJUANA, NOR SHALL THIS SECTION PREVENT THE STATE FROM ENACTING AND IMPOSING PENALTIES FOR DRIVING UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY MARIJUANA.

(C) NOTHING IN THIS SECTION IS INTENDED TO PERMIT THE TRANSFER OF MARIJUANA, WITH OR WITHOUT REMUNERATION, TO A PERSON UNDER THE AGE OF TWENTY-ONE

OR TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE TO PURCHASE, POSSESS, USE, TRANSPORT, GROW, OR CONSUME MARIJUANA.

(D) NOTHING IN THIS SECTION SHALL PROHIBIT A PERSON, EMPLOYER, SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION OR ANY OTHER ENTITY WHO OCCUPIES, OWNS OR CONTROLS A PROPERTY FROM PROHIBITING OR OTHERWISE REGULATING THE POSSESSION, CONSUMPTION, USE, DISPLAY, TRANSFER, DISTRIBUTION, SALE, TRANSPORTATION, OR GROWING OF MARIJUANA ON OR IN THAT PROPERTY.

Section 7: Medical marijuana provisions unaffected. NOTHING IN THIS SECTION SHALL BE CONSTRUED:

(A) TO LIMIT ANY PRIVILEGES OR RIGHTS OF A MEDICAL MARIJUANA PATIENT, PRIMARY CAREGIVER, OR LICENSED ENTITY AS AUTHORIZED UNDER OKLAHOMA LAW;

(B) TO PERMIT A MEDICAL MARIJUANA CENTER TO DISTRIBUTE MARIJUANA TO A PERSON WHO IS NOT A MEDICAL MARIJUANA PATIENT;

(C) TO PERMIT A MEDICAL MARIJUANA CENTER TO PURCHASE MARIJUANA OR MARIJUANA PRODUCTS IN A MANNER OR FROM A SOURCE NOT AUTHORIZED UNDER CURRENT OKLAHOMA LAW;

Section 8: Self-executing, severability, conflicting provisions. ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING EXCEPT AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE ALL CONFLICTING STATE STATUTORY, LOCAL CHARTER, ORDINANCE, OR RESOLUTION, AND ALL OTHER STATE AND LOCAL PROVISIONS.

Section 9: Effective date. UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL CERTIFICATION OF THE VOTE HEREON.

Name and Address of Proponent(s):
Green The Vote LLC
1815 East 15th Street
Tulsa Oklahoma 74104

This measure, if passed, would amend the constitution of the State of Oklahoma and allow for the regulation of marijuana; permitting a person twenty-one years of age or older to consume or possess limited amounts of marijuana; providing for the licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores; permitting local governments to regulate or prohibit such facilities; requiring the general assembly to enact an excise tax to be levied upon wholesale sales of marijuana; requiring that the first fifty million in revenue raised annually by such tax be credited to public education; and requiring the general assembly to enact legislation governing the cultivation, processing, and sale of industrial hemp.

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

	SIGNATURE	PRINTED NAME	ADDRESS	CITY	ZIP	COUNTY
1						
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AFFIDAVIT

STATE OF OKLAHOMA)
)
COUNTY OF _____)

I, _____, being first duly sworn say:
That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma.

Circulator's Signature

Post Office Address

City Zip code

Subscribed and sworn to before me this ____ day of _____ 2018.

(Affix Seal Here)

Notary Public

Post Office Address

City Zip code

My Commission Number is: _____

My Commission Expires: _____

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

FILED

APR 03 2018

April 3, 2018

OKLAHOMA SECRETARY
OF STATE

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Dear Proponent(s):

This acknowledges receipt of the petition submitted to the Secretary of State office, which has been designated as **State Question Number 797, Initiative Petition Number 418** and filed accordingly this 3rd day of April 2018.

Per Title 34 O.S. Section 8, subsequent to the publication of the notice of filing of said petition, the apparent sufficiency or insufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) of record, setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact Amy Canton, Executive Legislative Division (executivelegislative@sos.ok.gov / 405-522-4565).

Thank you,

Amy Canton
Executive Legislative Division
OKLAHOMA SECRETARY OF STATE OFFICE

**NOTICE OF THE FILING OF STATE QUESTION 797, INITIATIVE PETITION 418,
THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE
STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID
PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS
AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)**

NOTICE is hereby given that on April 3, 2018, State Question 797, Initiative Petition 418 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 797, Initiative Petition 418 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponent(s) filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponents of record for State Question 797, Initiative Petition 418:

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Tod Wall
Oklahoma Secretary of State

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City, OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Tuesday, April 10, 2018 12:04 PM

Page 1

Proof of Publication Order Number 18-04-24

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-JOURNAL RECORD, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-JOURNAL RECORD in consecutive issues on the following dates-to-wit:

Insertion: 04/09/2018

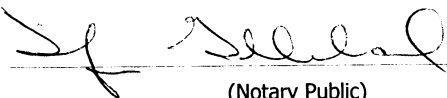
That said newspaper has been published continuously and uninterrupted in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$33.05

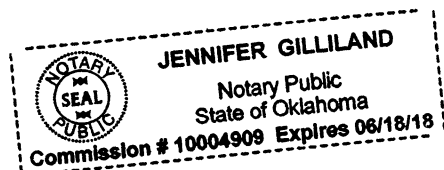


(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of April 2018.



(Notary Public)



NOTICE OF THE FILING OF
STATE QUESTION 797, INITIATIVE
PETITION 418, THE APPARENT
SUFFICIENCY THEREOF, AND
NOTICE TO CITIZENS OF THE
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AS TO THE CONSTITUTIONAL-
ITY OF SAID PETITION, MUST BE
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filing the petition. Any such protest
must be filed within ten (10) business
days after publication of this notice.
Also, a copy of any such protest shall
be filed with the Office of the Okla-
homa Secretary of State.

Proponents of record for State Ques-
tion 797, Initiative Petition 418:

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Tod Wall
Oklahoma Secretary of State

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City, OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Tuesday, April 10, 2018 12:04 PM

Page 1

Proof of Publication Order Number 18-04-24

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-THE OKLAHOMAN, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-THE OKLAHOMAN in consecutive issues on the following dates-to-wit:

Insertion: 04/09/2018

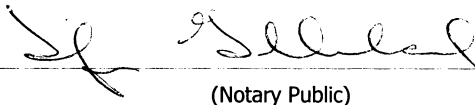
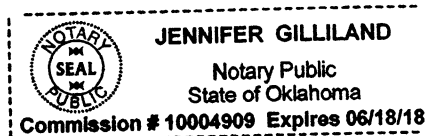
That said newspaper has been published continuously and uninterrupted in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$33.30



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of April 2018.


(Notary Public)

NOTICE OF THE FILING OF
STATE QUESTION 797, INITIATIVE
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NOTICE TO CITIZENS OF THE
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test as to the constitutionality of said
petition, by a written notice to the Su-
preme Court and to the proponent(s)
filing the petition. Any such protest
must be filed within ten (10) business
days after publication of this notice.
Also, a copy of any such protest shall
be filed with the Office of the Okla-
homa Secretary of State.

Proponents of record for State Ques-
tion 797, Initiative Petition 418:

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Tod Wall
Oklahoma Secretary of State

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City, OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Tuesday, April 10, 2018 12:04 PM

Page 1

Proof of Publication Order Number 18-04-24

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-TULSA WORLD - Legal, a Daily newspaper printed and published in the city of TULSA, county of Tulsa, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-TULSA WORLD - Legal in consecutive issues on the following dates-to-wit:

Insertion: 04/09/2018

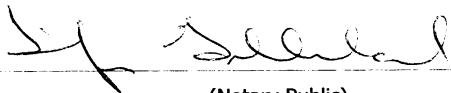
That said newspaper has been published continuously and uninterrupted in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$33.05

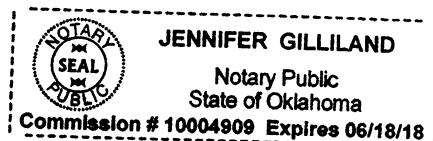


(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of April 2018.



(Notary Public)



NOTICE OF THE FILING OF
STATE QUESTION 797, INITIATIVE
PETITION 418, THE APPARENT
SUFFICIENCY THEREOF, AND
NOTICE TO CITIZENS OF THE
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Also, a copy of any such protest shall
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homa Secretary of State.

Proponents of record for State Ques-
tion 797, Initiative Petition 418:

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Tod Wall
Oklahoma Secretary of State

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

April 27, 2018

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Dear Proponent(s):

Per Title 34, Section 8 of the Oklahoma Statutes, no appeals or protests for rehearing have been filed and the period for such has expired, therefore notice is hereby given that the signature gathering period for **State Question Number 797, Initiative Petition Number 418** is set to begin on May 11, 2018 and all signatures are due within ninety (90) days of the date set. Signatures will not be accepted for filing after 5:00 p.m. on August 8, 2018. The current signature requirement for amendments or additions to the Oklahoma Constitution is 123,725.

Please find enclosed two true and accurate copies of said petition on record with the Secretary of State, plus a copy of the current signature requirements for statewide petitions as certified by the Secretary of the Oklahoma State Election Board.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Thank you,

Amy Canton
Executive Legislative Division
OKLAHOMA SECRETARY OF STATE OFFICE

FILED

APR 03 2018

OKLAHOMA SECRETARY
OF STATE

State Question No.

797

Initiative Petition No.

418

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

Initiative Petition

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election to be held on the ___ day of November, 20___, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from May 11, 2018. The question we herewith submit to our fellow voters is: Shall the following proposed amendment to the Constitution be approved?

Text of Measure:

Be it Enacted by the People of the State of Oklahoma:

The constitution of the State of Oklahoma is hereby amended BY THE ADDITION OF A NEW SECTION, SECTION 31, to read:

Section 31. Use and regulation of marijuana

Section 1: Purpose and findings.

(A) IN THE INTEREST OF THE EFFICIENT USE OF LAW ENFORCEMENT RESOURCES, ENHANCING REVENUE FOR PUBLIC PURPOSES, AND INDIVIDUAL FREEDOM, THE PEOPLE OF THE STATE OF OKLAHOMA FIND AND DECLARE THAT THE USE OF MARIJUANA SHOULD BE LEGAL FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER AND TAXED IN A MANNER SIMILAR TO ALCOHOL.

(B) IN THE INTEREST OF THE HEALTH AND PUBLIC SAFETY OF OUR CITIZENRY, THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT MARIJUANA SHOULD BE REGULATED IN A MANNER SIMILAR TO ALCOHOL SO THAT:

(1) INDIVIDUALS WILL HAVE TO SHOW PROOF OF AGE BEFORE PURCHASING MARIJUANA;

(2) SELLING, DISTRIBUTING, OR TRANSFERRING MARIJUANA TO MINORS AND OTHER INDIVIDUALS UNDER THE AGE OF TWENTY-ONE SHALL REMAIN ILLEGAL;

(3) DRIVING UNDER THE INFLUENCE OF MARIJUANA SHALL REMAIN ILLEGAL;

(4) LEGITIMATE, TAXPAYING BUSINESS PEOPLE, AND NOT CRIMINAL ACTORS, WILL CONDUCT SALES OF MARIJUANA; AND

(5) MARIJUANA SOLD IN THIS STATE WILL BE LABELED AND SUBJECT TO ADDITIONAL REGULATIONS REGARDING LABELING AND PRODUCT INFORMATION TO ENSURE THAT CONSUMERS ARE INFORMED AND PROTECTED.

(C) IN THE INTEREST OF ENACTING RATIONAL POLICIES FOR THE TREATMENT OF ALL VARIATIONS OF THE CANNABIS PLANT, THE PEOPLE OF OKLAHOMA FURTHER FIND AND DECLARE THAT INDUSTRIAL HEMP SHOULD BE REGULATED SEPARATELY FROM STRAINS OF CANNABIS WITH HIGHER DELTA-9 TETRAHYDROCANNABINOL (THC) CONCENTRATIONS.

(D) THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT IT IS NECESSARY TO ENSURE CONSISTENCY AND FAIRNESS IN THE APPLICATION OF THIS SECTION THROUGHOUT THE STATE AND THAT, THEREFORE, THE MATTERS ADDRESSED BY THIS SECTION ARE, EXCEPT AS SPECIFIED HEREIN, MATTERS OF STATEWIDE CONCERN.

Section 2: Definitions. AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES,

(A) "OKLAHOMA MEDICAL MARIJUANA CODE" MEANS TITLE 37B, A NEW TITLE OF THE OKLAHOMA REVISED STATUTES.

(B) "CONSUMER" MEANS A PERSON TWENTY-ONE YEARS OF AGE OR OLDER WHO PURCHASES MARIJUANA OR MARIJUANA PRODUCTS FOR PERSONAL USE BY PERSONS TWENTY-ONE YEARS OF AGE OR OLDER, BUT NOT FOR RESALE TO OTHERS.

(C) "DEPARTMENT" MEANS THE OKLAHOMA TAX COMMISSION OR ITS SUCCESSOR AGENCY.

(D) "INDUSTRIAL HEMP" MEANS THE PLANT OF THE GENUS CANNABIS AND ANY PART OF SUCH PLANT, WHETHER GROWING OR NOT, WITH A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION THAT DOES NOT EXCEED THREE- TENTHS PERCENT ON A DRY WEIGHT BASIS.

(E) "LOCALITY" MEANS A COUNTY, MUNICIPALITY, OR CITY AND COUNTY.

(F) "MARIJUANA" OR "MARIHUANA" MEANS ALL PARTS OF THE PLANT OF THE GENUS CANNABIS WHETHER GROWING OR NOT, THE SEEDS THEREOF, THE RESIN EXTRACTED FROM ANY PART OF THE PLANT, AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT, ITS SEEDS, OR ITS RESIN, INCLUDING MARIHUANA CONCENTRATE. "MARIJUANA" OR "MARIHUANA" DOES NOT INCLUDE INDUSTRIAL HEMP, NOR DOES IT INCLUDE FIBER PRODUCED FROM THE STALKS, OIL, OR CAKE MADE FROM THE SEEDS OF THE PLANT, STERILIZED SEED OF THE PLANT WHICH IS

INCAPABLE OF GERMINATION, OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH MARIJUANA TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK, OR OTHER PRODUCT.

(G) "MARIJUANA ACCESSORIES" MEANS ANY EQUIPMENT, PRODUCTS, OR MATERIALS OF ANY KIND WHICH ARE USED, INTENDED FOR USE, OR DESIGNED FOR USE IN PLANTING, PROPAGATING, CULTIVATING, GROWING, HARVESTING, COMPOSTING, MANUFACTURING, COMPOUNDING, CONVERTING, PRODUCING, PROCESSING, PREPARING, TESTING, ANALYZING, PACKAGING, REPACKAGING, STORING, VAPORIZING, OR CONTAINING MARIJUANA, OR FOR INGESTING, INHALING, OR OTHERWISE INTRODUCING MARIJUANA INTO THE HUMAN BODY.

(H) "MARIJUANA CULTIVATION FACILITY" MEANS AN ENTITY LICENSED TO CULTIVATE, PREPARE, AND PACKAGE MARIJUANA AND SELL MARIJUANA TO RETAIL MARIJUANA STORES, TO MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND TO OTHER MARIJUANA CULTIVATION FACILITIES, BUT NOT TO CONSUMERS.

(I) "MARIJUANA ESTABLISHMENT" MEANS A MARIJUANA CULTIVATION FACILITY, A MARIJUANA TESTING FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE.

(J) "MARIJUANA PRODUCT MANUFACTURING FACILITY" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA; MANUFACTURE, PREPARE, AND PACKAGE MARIJUANA PRODUCTS; AND SELL MARIJUANA AND MARIJUANA PRODUCTS TO OTHER MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO RETAIL MARIJUANA STORES, BUT NOT TO CONSUMERS.

(K) "MARIJUANA PRODUCTS" MEANS CONCENTRATED MARIJUANA PRODUCTS AND MARIJUANA PRODUCTS THAT ARE COMPRISED OF MARIJUANA AND OTHER INGREDIENTS AND ARE INTENDED FOR USE OR CONSUMPTION, SUCH AS, BUT NOT LIMITED TO, EDIBLE PRODUCTS, OINTMENTS, AND TINCTURES.

(L) "MARIJUANA TESTING FACILITY" MEANS AN ENTITY LICENSED TO ANALYZE AND CERTIFY THE SAFETY AND POTENCY OF MARIJUANA.

(M) "MEDICAL MARIJUANA CENTER" MEANS AN ENTITY LICENSED BY A STATE AGENCY TO SELL MARIJUANA AND MARIJUANA PRODUCTS PURSUANT TO SECTION 14 OF THIS ARTICLE.

(N) "RETAIL MARIJUANA STORE" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA FROM MARIJUANA CULTIVATION FACILITIES AND MARIJUANA AND MARIJUANA PRODUCTS FROM MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS.

(O) "UNREASONABLY IMPRACTICABLE" MEANS THAT THE MEASURES NECESSARY TO COMPLY WITH THE REGULATIONS REQUIRE SUCH A HIGH INVESTMENT OF RISK, MONEY, TIME, OR

ANY OTHER RESOURCE OR ASSET THAT THE OPERATION OF A MARIJUANA ESTABLISHMENT IS NOT WORTHY OF BEING CARRIED OUT IN PRACTICE BY A REASONABLY PRUDENT BUSINESSPERSON.

Section 3: Personal use of marijuana. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR THE LAW OF ANY LOCALITY WITHIN OKLAHOMA OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) POSSESSING, USING, DISPLAYING, PURCHASING, OR TRANSPORTING MARIJUANA ACCESSORIES OR TWO OUNCES OR LESS OF MARIJUANA.

(B) TRANSFER OF ONE OUNCE OR LESS OF MARIJUANA WITHOUT REMUNERATION TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(C) CONSUMPTION OF MARIJUANA, PROVIDED THAT NOTHING IN THIS SECTION SHALL PERMIT CONSUMPTION THAT IS CONDUCTED OPENLY AND PUBLICLY OR IN A MANNER THAT ENDANGERS OTHERS.

(D) MARIJUANA USERS MAY NOT BE CHARGED WITH DUI OR DWI OR ANY OTHER CHARGE OF MARIJUANA INTOXICATION OR IMPAIRMENT BASED ON THE RESULTS OF BLOOD, URINE, BREATH TEST, OR ODOR OF MARIJUANA. A FIELD SOBRIETY TEST MUST BE ADMINISTERED TO PROVE IMPAIRMENT TO CHARGE A MARIJUANA USER WITH DUI OR DWI. THESE FIELD SOBRIETY TESTS MUST BE VIDEOED TO BE USED AS EVIDENCE OF IMPAIRMENT AND FAILURE TO DO SO SHALL REQUIRE THAT THE COURT DISMISS THE CHARGES WITH PREJUDICE.

(E) ASSISTING ANOTHER PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER IN ANY OF THE ACTS DESCRIBED IN PARAGRAPHS (A) THROUGH (D) OF THIS SECTION.

Section 4: Lawful operation of marijuana-related facilities. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) MANUFACTURE, POSSESSION, OR PURCHASE OF MARIJUANA ACCESSORIES OR THE SALE OF MARIJUANA ACCESSORIES TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(B) POSSESSING, DISPLAYING, OR TRANSPORTING MARIJUANA OR MARIJUANA PRODUCTS; PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY; OR SALE OF MARIJUANA OR MARIJUANA PRODUCTS TO CONSUMERS, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS

PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A RETAIL MARIJUANA STORE OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE OR AGENT OF A LICENSED RETAIL MARIJUANA STORE.

(C) CULTIVATING, HARVESTING, PROCESSING, PACKAGING, TRANSPORTING, DISPLAYING, OR POSSESSING MARIJUANA; DELIVERY OR TRANSFER OF MARIJUANA TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA TO A MARIJUANA CULTIVATION FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE; OR THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA CULTIVATION FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA CULTIVATION FACILITY.

(D) PACKAGING, PROCESSING, TRANSPORTING, MANUFACTURING, DISPLAYING, OR POSSESSING MARIJUANA OR MARIJUANA PRODUCTS; DELIVERY OR TRANSFER OF MARIJUANA OR MARIJUANA PRODUCTS TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA OR MARIJUANA PRODUCTS TO A RETAIL MARIJUANA STORE OR A MARIJUANA PRODUCT MANUFACTURING FACILITY; THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; OR THE PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA PRODUCT MANUFACTURING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA PRODUCT MANUFACTURING FACILITY.

(E) POSSESSING, CULTIVATING, PROCESSING, REPACKAGING, STORING, TRANSPORTING, DISPLAYING, TRANSFERRING OR DELIVERING MARIJUANA OR MARIJUANA PRODUCTS IF THE PERSON HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA TESTING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA TESTING FACILITY.

(F) LEASING OR OTHERWISE ALLOWING THE USE OF PROPERTY OWNED, OCCUPIED OR CONTROLLED BY ANY PERSON, CORPORATION OR OTHER ENTITY FOR ANY OF THE ACTIVITIES CONDUCTED LAWFULLY IN ACCORDANCE WITH PARAGRAPHS (A) THROUGH (F) OF THIS SECTION.

Section 5: Regulation of marijuana.

(A) NOT LATER THAN JUNE 1, 2019, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR IMPLEMENTATION OF THIS SECTION. SUCH REGULATIONS SHALL NOT PROHIBIT THE OPERATION OF MARIJUANA ESTABLISHMENTS, EITHER EXPRESSLY OR THROUGH REGULATIONS THAT MAKE THEIR OPERATION UNREASONABLY IMPRACTICABLE. SUCH REGULATIONS SHALL INCLUDE:

(1) PROCEDURES FOR THE ISSUANCE, RENEWAL, SUSPENSION, AND REVOCATION OF A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT, WITH SUCH PROCEDURES SUBJECT TO ALL REQUIREMENTS OF TITLE 75 SECTION 250 ET SEQ OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION;

(2) A SCHEDULE OF APPLICATION, LICENSING AND RENEWAL FEES, PROVIDED, APPLICATION FEES SHALL NOT EXCEED THIRTY THOUSAND DOLLARS, WITH THIS UPPER LIMIT ADJUSTED ANNUALLY FOR INFLATION, UNLESS THE DEPARTMENT DETERMINES A GREATER FEE IS NECESSARY TO CARRY OUT ITS RESPONSIBILITIES UNDER THIS SECTION, AND PROVIDED FURTHER, AN ENTITY THAT IS LICENSED UNDER OKLAHOMA LAW TO CULTIVATE OR SELL MARIJUANA OR TO MANUFACTURE MARIJUANA PRODUCTS AT THE TIME THIS SECTION TAKES EFFECT AND THAT CHOOSES TO APPLY FOR A SEPARATE MARIJUANA ESTABLISHMENT LICENSE SHALL NOT BE REQUIRED TO PAY AN APPLICATION FEE GREATER THAN TEN THOUSAND DOLLARS TO APPLY FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION;

(3) QUALIFICATIONS FOR LICENSURE THAT ARE DIRECTLY AND DEMONSTRABLY RELATED TO THE OPERATION OF A MARIJUANA ESTABLISHMENT;

(4) SECURITY REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS;

(5) REQUIREMENTS TO PREVENT THE SALE OR DIVERSION OF MARIJUANA AND MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE;

(6) LABELING REQUIREMENTS FOR MARIJUANA AND MARIJUANA PRODUCTS SOLD OR DISTRIBUTED BY A MARIJUANA ESTABLISHMENT;

(7) HEALTH AND SAFETY REGULATIONS AND STANDARDS FOR THE MANUFACTURE OF MARIJUANA PRODUCTS AND THE CULTIVATION OF MARIJUANA;

(8) RESTRICTIONS ON THE ADVERTISING AND DISPLAY OF MARIJUANA AND MARIJUANA PRODUCTS; AND

(9) CIVIL PENALTIES FOR THE FAILURE TO COMPLY WITH REGULATIONS MADE PURSUANT TO THIS SECTION.

(B) IN ORDER TO ENSURE THE MOST SECURE, RELIABLE, AND ACCOUNTABLE SYSTEM FOR THE PRODUCTION AND DISTRIBUTION OF MARIJUANA AND MARIJUANA PRODUCTS IN ACCORDANCE WITH THIS SECTION, IN ANY COMPETITIVE APPLICATION PROCESS THE DEPARTMENT SHALL HAVE AS A PRIMARY CONSIDERATION WHETHER AN APPLICANT:

(1) HAS PRIOR EXPERIENCE PRODUCING OR DISTRIBUTING

ALCOHOLIC BEVERAGES OR MARIJUANA OR MARIJUANA PRODUCTS IN THE LOCALITY IN WHICH THE APPLICANT SEEKS TO OPERATE A MARIJUANA ESTABLISHMENT;

(2) CURRENTLY POSSESSES A PROFESSIONAL LICENSE ISSUED BY THE STATE OF OKLAHOMA WHICH REQUIRED THE APPLICANT TO UNDERGO A CRIMINAL BACKGROUND CHECK AND CHARACTER AND/OR FITNESS EVALUATION PRIOR TO ISSUANCE OF SAID LICENSE;

(3) IS A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHIC MEDICINE;

(4) HAS BEEN A RESIDENT OF THE STATE OF OKLAHOMA FOR MORE THAN TEN YEARS; AND

(5) HAS, DURING THE EXPERIENCE DESCRIBED IN SUBPARAGRAPH (1), COMPLIED CONSISTANTLY WITH ALL REGULATIONS RELATED THERETO.

(C) IN ORDER TO ENSURE THAT INDIVIDUAL PRIVACY IS PROTECTED, THE DEPARTMENT SHALL NOT REQUIRE A CONSUMER TO PROVIDE A RETAIL MARIJUANA STORE WITH PERSONAL INFORMATION OTHER THAN GOVERNMENT-ISSUED IDENTIFICATION TO DETERMINE THE CONSUMER'S AGE, AND A RETAIL MARIJUANA STORE SHALL NOT BE REQUIRED TO ACQUIRE AND RECORD PERSONAL INFORMATION ABOUT CONSUMERS OTHER THAN INFORMATION TYPICALLY ACQUIRED IN A FINANCIAL TRANSACTION CONDUCTED AT A RETAIL LIQUOR STORE.

(D) THE OKLAHOMA LEGISLATURE SHALL ENACT AN EXCISE TAX TO BE LEVIED UPON MARIJUANA SOLD OR OTHERWISE TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY TO A MARIJUANA PRODUCT MANUFACTURING FACILITY OR TO A RETAIL MARIJUANA STORE AT A RATE NOT TO EXCEED FIFTEEN PERCENT PRIOR TO JANUARY 1, 2020 AND SHALL DIRECT THE DEPARTMENT TO ESTABLISH PROCEDURES FOR THE COLLECTION OF ALL TAXES LEVIED. PROVIDED, THE FIRST FIFTY MILLION DOLLARS IN REVENUE RAISED ANNUALLY FROM ANY SUCH EXCISE TAX SHALL BE DIVIDED AND DISTRIBUTED TO ALL SCHOOL DISTRICTS IN THE STATE OF OKLAHOMA PROPORTANTE TO THE TOTAL PERCENTAGE OF ENROLLED STUDENTS IN EACH DISTRICT AS COMPARED TO THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE STATE OF OKLAHOMA. ALL FUNDS RECEIVED BY ANY SCHOOL DISTRICT SHALL BE USED ONLY FOR TEACHER COMPENSATION, WHICH MAY INCLUDE BENEFITS, AND MAY NOT BE USED TO PAY SCHOOL DISTRICT ADMINISTRATION ABOVE THE INDIVIDUAL SCHOOL LEVEL. NOTHING IN THIS SECTION SHALL BE DEEMED A LIMITATION ON THE STATE OF OKLAHOMA TO AUTHORIZE THE USE OF MARIJUANA FOR MEDICINAL PURPOSES AND TO TAX SUCH MARIJUANA AT A LOWER RATE THAN OUTLINED HEREIN.

(E) PROVIDED FURTHER, A STATEWIDE SALES TAX WILL BE ESTABLISHED NOT TO EXCEED 20%. THIS TAX WILL BE COLLECTED AT THE POINT OF RETAIL SALE. THIS TAX SHALL BE DIVIDED WITH 50% GOING TO THE OKLAHOMA STATE

DEPARTMENT OF EDUCATION GENERAL FUND AND 25% GOING TO THE OKLAHOMA STATE DEPARTMENT OF HEALTH AND EARMARKED FOR DRUG AND ALCOHOL REHABILITATION AND 25% GOING TO THE STATE OF OKLAHOMA GENERAL FUND.

(F) NOT LATER THAN July 1, 2020, EACH LOCALITY SHALL ENACT AN ORDINANCE OR REGULATION SPECIFYING THE ENTITY WITHIN THE LOCALITY THAT IS RESPONSIBLE FOR PROCESSING APPLICATIONS SUBMITTED FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE BOUNDARIES OF THE LOCALITY AND FOR THE ISSUANCE OF SUCH LICENSES SHOULD THE ISSUANCE BY THE LOCALITY BECOME NECESSARY BECAUSE OF A FAILURE BY THE DEPARTMENT TO ADOPT REGULATIONS PURSUANT TO PARAGRAPH (A) OR BECAUSE OF A FAILURE BY THE DEPARTMENT TO PROCESS AND ISSUE LICENSES AS REQUIRED BY PARAGRAPH (G).

(G) A LOCALITY MAY ENACT ORDINANCES OR REGULATIONS, NOT IN CONFLICT WITH THIS SECTION OR WITH REGULATIONS OR LEGISLATION ENACTED PURSUANT TO THIS SECTION, GOVERNING THE TIME, PLACE, MANNER AND NUMBER OF MARIJUANA ESTABLISHMENT OPERATIONS; ESTABLISHING PROCEDURES FOR THE ISSUANCE, SUSPENSION, AND REVOCATION OF A LICENSE ISSUED BY THE LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I), SUCH PROCEDURES TO BE SUBJECT TO ALL REQUIREMENTS OF TITLE 75, SECTION 250 ET SEQ. OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION; ESTABLISHING A SCHEDULE OF ANNUAL OPERATING, LICENSING, AND APPLICATION FEES FOR MARIJUANA ESTABLISHMENTS, PROVIDED, THE APPLICATION FEE SHALL ONLY BE DUE IF AN APPLICATION IS SUBMITTED TO A LOCALITY IN ACCORDANCE WITH PARAGRAPH (I) AND A LICENSING FEE SHALL ONLY BE DUE IF A LICENSE IS ISSUED BY A LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I); AND ESTABLISHING CIVIL PENALTIES FOR VIOLATION OF AN ORDINANCE OR REGULATION GOVERNING THE TIME, PLACE, AND MANNER OF A MARIJUANA ESTABLISHMENT THAT MAY OPERATE IN SUCH LOCALITY. A LOCALITY MAY PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH AN INITIATED OR REFERRED MEASURE; PROVIDED, ANY INITIATED OR REFERRED MEASURE TO PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES MUST APPEAR ON A GENERAL ELECTION BALLOT DURING AN EVEN NUMBERED YEAR.

(H) EACH APPLICATION FOR AN ANNUAL LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT SHALL BE SUBMITTED TO THE DEPARTMENT. THE DEPARTMENT SHALL:

(1) BEGIN ACCEPTING AND PROCESSING APPLICATIONS ON January 2, 2020;

(2) IMMEDIATELY FORWARD A COPY OF EACH APPLICATION AND HALF OF THE LICENSE APPLICATION FEE TO THE LOCALITY IN WHICH THE APPLICANT DESIRES TO OPERATE THE MARIJUANA ESTABLISHMENT;

(3) ISSUE AN ANNUAL LICENSE TO THE APPLICANT BETWEEN FORTY-FIVE AND NINETY DAYS AFTER RECEIPT OF AN APPLICATION UNLESS THE DEPARTMENT FINDS THE APPLICANT IS NOT IN COMPLIANCE WITH REGULATIONS ENACTED PURSUANT TO PARAGRAPH (A) OR THE DEPARTMENT IS NOTIFIED BY THE RELEVANT LOCALITY THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) AND IN EFFECT AT THE TIME OF APPLICATION, PROVIDED, WHERE A LOCALITY HAS ENACTED A NUMERICAL LIMIT ON THE NUMBER OF MARIJUANA ESTABLISHMENTS AND A GREATER NUMBER OF APPLICANTS SEEK LICENSES, THE DEPARTMENT SHALL SOLICIT AND CONSIDER INPUT FROM THE LOCALITY AS TO THE LOCALITY'S PREFERENCE OR PREFERENCES FOR LICENSURE; AND

(4) UPON DENIAL OF AN APPLICATION, NOTIFY THE APPLICANT IN WRITING OF THE SPECIFIC REASON FOR ITS DENIAL AND DETAILING ALL STEPS THE APPLICANT MUST TAKE IN ORDER TO OBTAIN A LICENSE. APPLICANT MAY SUBMIT ONE ADDITIONAL APPLICATION WITHOUT FEE SHOULD APPLICANT BE DENIED ON AN INITIAL APPLICATION.

(H) IF THE DEPARTMENT DOES NOT ISSUE A LICENSE TO AN APPLICANT WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION FILED IN ACCORDANCE WITH PARAGRAPH (G) AND DOES NOT NOTIFY THE APPLICANT OF THE SPECIFIC REASON FOR ITS DENIAL, IN WRITING AND WITHIN SUCH TIME PERIOD, OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) AND HAS ACCEPTED APPLICATIONS PURSUANT TO PARAGRAPH (G) BUT HAS NOT ISSUED ANY LICENSES BY JULY 1, 2020, THE APPLICANT MAY RESUBMIT ITS APPLICATION DIRECTLY TO THE LOCALITY, PURSUANT TO PARAGRAPH (E), AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE RESUBMITTED APPLICATION UNLESS THE LOCALITY FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME THE APPLICATION IS RESUBMITTED AND THE LOCALITY SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. IF AN APPLICATION IS SUBMITTED TO A LOCALITY UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL FORWARD TO THE LOCALITY THE APPLICATION FEE PAID BY THE APPLICANT TO THE DEPARTMENT UPON REQUEST BY THE LOCALITY. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS ONLY

UPON RESUBMISSION TO THE LOCALITY OF A NEW APPLICATION SUBMITTED TO THE DEPARTMENT PURSUANT TO PARAGRAPH (G). NOTHING IN THIS PARAGRAPH SHALL LIMIT SUCH RELIEF AS MAY BE AVAILABLE TO AN AGGRIEVED PARTY FOR FAILURE TO ISSUE A LICENSE.

(I) IF THE DEPARTMENT DOES NOT ADOPT REGULATIONS REQUIRED BY PARAGRAPH (A), AN APPLICANT MAY SUBMIT AN APPLICATION DIRECTLY TO A LOCALITY AFTER JANUARY 1, 2020 AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION UNLESS IT FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME OF APPLICATION AND SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS IF THE DEPARTMENT HAS NOT ADOPTED REGULATIONS REQUIRED BY PARAGRAPH (A) AT LEAST ONE HUNDRED AND EIGHTY DAYS PRIOR TO THE DATE UPON WHICH SUCH SUBSEQUENT OR RENEWED LICENSE WOULD BE EFFECTIVE OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) BUT HAS NOT, AT LEAST NINETY DAYS AFTER THE ADOPTION OF SUCH REGULATIONS, ISSUED LICENSES PURSUANT TO PARAGRAPH (G).

(J) NOT LATER THAN NOVEMBER 1, 2020, THE OKLAHOMA LEGISLATURE SHALL ENACT LEGISLATION GOVERNING THE CULTIVATION, PROCESSING AND SALE OF INDUSTRIAL HEMP.

Section 6: Employers, driving, minors and control of property.

(A) NOTHING IN THIS SECTION IS INTENDED TO REQUIRE AN EMPLOYER TO PERMIT OR ACCOMMODATE THE USE, CONSUMPTION, POSSESSION, TRANSFER, DISPLAY, TRANSPORTATION, SALE OR GROWING OF MARIJUANA IN THE WORKPLACE OR TO AFFECT THE ABILITY OF EMPLOYERS TO HAVE POLICIES RESTRICTING THE USE OF MARIJUANA BY EMPLOYEES.

(B) NOTHING IN THIS SECTION IS INTENDED TO ALLOW DRIVING UNDER THE INFLUENCE OF MARIJUANA OR DRIVING WHILE IMPAIRED BY MARIJUANA, NOR SHALL THIS SECTION PREVENT THE STATE FROM ENACTING AND IMPOSING PENALTIES FOR DRIVING UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY MARIJUANA.

(C) NOTHING IN THIS SECTION IS INTENDED TO PERMIT THE TRANSFER OF MARIJUANA, WITH OR WITHOUT REMUNERATION, TO A PERSON UNDER THE AGE OF TWENTY-ONE

OR TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE TO PURCHASE, POSSESS, USE, TRANSPORT, GROW, OR CONSUME MARIJUANA.

(D) NOTHING IN THIS SECTION SHALL PROHIBIT A PERSON, EMPLOYER, SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION OR ANY OTHER ENTITY WHO OCCUPIES, OWNS OR CONTROLS A PROPERTY FROM PROHIBITING OR OTHERWISE REGULATING THE POSSESSION, CONSUMPTION, USE, DISPLAY, TRANSFER, DISTRIBUTION, SALE, TRANSPORTATION, OR GROWING OF MARIJUANA ON OR IN THAT PROPERTY.

Section 7: Medical marijuana provisions unaffected. NOTHING IN THIS SECTION SHALL BE CONSTRUED:

(A) TO LIMIT ANY PRIVILEGES OR RIGHTS OF A MEDICAL MARIJUANA PATIENT, PRIMARY CAREGIVER, OR LICENSED ENTITY AS AUTHORIZED UNDER OKLAHOMA LAW;

(B) TO PERMIT A MEDICAL MARIJUANA CENTER TO DISTRIBUTE MARIJUANA TO A PERSON WHO IS NOT A MEDICAL MARIJUANA PATIENT;

(C) TO PERMIT A MEDICAL MARIJUANA CENTER TO PURCHASE MARIJUANA OR MARIJUANA PRODUCTS IN A MANNER OR FROM A SOURCE NOT AUTHORIZED UNDER CURRENT OKLAHOMA LAW;

Section 8: Self-executing, severability, conflicting provisions. ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING EXCEPT AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE ALL CONFLICTING STATE STATUTORY, LOCAL CHARTER, ORDINANCE, OR RESOLUTION, AND ALL OTHER STATE AND LOCAL PROVISIONS.

Section 9: Effective date. UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL CERTIFICATION OF THE VOTE HEREON.

Name and Address of Proponent(s):
Green The Vote LLC
1815 East 15th Street
Tulsa Oklahoma 74104

This measure, if passed, would amend the constitution of the State of Oklahoma and allow for the regulation of marijuana; permitting a person twenty-one years of age or older to consume or possess limited amounts of marijuana; providing for the licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores; permitting local governments to regulate or prohibit such facilities; requiring the general assembly to enact an excise tax to be levied upon wholesale sales of marijuana; requiring that the first fifty million in revenue raised annually by such tax be credited to public education; and requiring the general assembly to enact legislation governing the cultivation, processing, and sale of industrial hemp.

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

	SIGNATURE	PRINTED NAME	ADDRESS	CITY	ZIP	COUNTY
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AFFIDAVIT

STATE OF OKLAHOMA)
)
COUNTY OF _____)

I, _____, being first duly sworn say:
That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma.

Circulator's Signature

Post Office Address

City Zip code

Subscribed and sworn to before me this ____ day of _____ 2018.

(Affix Seal Here)

Notary Public

Post Office Address

City Zip code

My Commission Number is: _____

My Commission Expires: _____

James A. Williamson
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 8, 2018

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104

Dear Proponent(s):

This letter is to acknowledge receipt of 13 boxes containing petition pamphlets filed with the Secretary of State August 8, 2018 at 4:58 a.m. (p.m.), on behalf of **State Question 797, Initiative Petition 418**.

As required by law, the petition boxes have been sealed. The boxes will not be opened until the signature counting process begins. Pursuant to Title 34 O.S. §4, an individual from the petition drive must only be present for the detaching of the signatures and circulator's affidavit pages from the pamphlets. Please refer to the enclosed *Observer Details* page for further instructions and information.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office.

Executive Legislative Division
OKLAHOMA SECRETARY OF STATE OFFICE
State Capitol Building, Room 122
405.522.4565 / executivelegislative@sos.ok.gov

James A. Williamson
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

TO: Proponents of SQ797, IP418

DATE: 08/08/2018

PETITION PAMPHLET DETACHING - OBSERVER DETAILS

Per Title 34 O.S. Section 4, an individual from the petition drive must only be present during the detaching of the signatures and circulator's affidavit pages. **The detaching of the signatures and circulator's affidavit pages from the petition pamphlets will begin as soon as the signature count for SQ796 is completed.**

As soon as all the signature/circulator affidavit sheets have been detached from the petition pamphlets, the physical count of signatures will begin and continue daily, Monday through Friday, 9:00 a.m. to 4:00 p.m. until the physical signature count is complete. An Observer (to be appointed by the proponents of record for SQ797) is welcome to observe the SOS physical counting process so long as he/she complies with the following;

- a) The Observer is NOT, in any way, allowed to distract SOS staff members performing such physical count.
 - b) Only one (1) Observer from the petition drive is allowed in the SOS counting room.
 - c) Should the Observer have any questions or comments, such must be directed to the monitor of the count outside of the SOS counting room.
 - d) Photo taking of any kind is prohibited in the SOS signature counting room.
- Copies of records related to the signature count will be available to the public after the completion of the binding process.

Also, as required by law, one copy of the proposed measure will be attached to each volume of signatures during the binding process. The detached portions of the pamphlets, not attached to a volume, will be placed in a recycle bin located near the SOS counting room. Should the proponents like to keep the detachments, they must inform our office of such and provide containers necessary for retrieval.

Signature Counting Room: Secretary of State office – Colcord Center
421 NW 13th Street, OKC, OK 73103

Monitor of the count: Amy Canton 405-522-4565 / executivelegislative@sos.ok.gov

James A. Williamson
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 9, 2018

HAND DELIVERED

The Honorable Mike Hunter
Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

Dear Attorney General Hunter:

Pursuant to 34 O.S., § 8(H), the proponents of **State Question 797, Initiative Petition 418** have timely filed signed copies of said petition. Per 34 O.S. § 9(D), the proposed ballot title for SQ 797, IP 418 is hereby submitted to you for review as to legal correctness. The enclosed are true and exact copies of the documents on record with the Secretary of State.

If additional information is needed, or if we may be of further assistance, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "James A. Williamson".

James A. Williamson
Secretary of State

RECEIVED
RECEPTION

AUG 10 2018

Enclosures:

- Proposed Ballot Title – SQ797, IP418
- Initiative Petition 418, State Question 797

ATTORNEY GENERAL

James A. Williamson
Secretary of State



Mary Fallin
Governor

FILED
SUPREME COURT
STATE OF OKLAHOMA

August 20, 2018

AUG 20 2018

JOHN D. HADDEN
CLERK

HAND DELIVERED

#117298

Supreme Court Clerk's Office
The Supreme Court of Oklahoma
Oklahoma Judicial Center – Ground Floor
2100 N. Lincoln, Ste. 4
Oklahoma City, Oklahoma 73105

**RE: Secretary of State's Certification to the Court of the Physical Signature Count
for State Question 797, Initiative Petition 418**

Dear Sir/Madame:

Pursuant to the provisions of Title 34 O.S., Sections 6.1 and 8, the Secretary of State certifies to the Supreme Court the following details:

- Thirteen (13) boxes/plastic tubs of signature pamphlets, for State Question 797, Initiative Petition 418, were received by our office at 4:58 p.m., August 8, 2018.
- The Secretary of State began the physical count of signatures on August 14, 2018 at 9:00 a.m. and concluded such on August 15, 2018 at 4:00 p.m.
- A total of 6027 signature sheets were filed. Individual signature sheets are page numbered 1 through 6027 and bound in a total of 31 volumes. Volumes 1 through 30 contain 200 signature sheets per volume and Volume 31 contains a total of 27 signature sheets.
- Page numbers 5895 through 6027 were not included in such physical count due to one or more of the following;
 - a. Signature sheet missing a circulator affidavit page or sheet is missing a signature page
 - b. Improper or incomplete circulator affidavits
 - c. Improper or incomplete notarizations by a notary public
 - d. SQ797 petition pamphlet attached to a SQ796 signature sheet
 - e. Signature sheet submitted on 8 ½ by 11 size paper
- The Secretary of State certifies the total number of signatures physically counted for State Question 797, Initiative Petition 418 is **102,814**.
- The Secretary of State affirms the State Election Board has certified that a total of 824,831 votes were cast for the office of Governor at the General Election in November 2014.

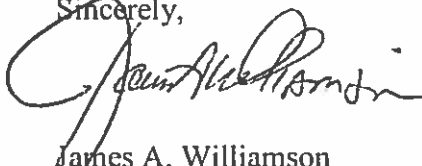
- The Secretary of State also certifies that proponents' proposed ballot title was submitted to the Attorney General's office August 10, 2018 for review as to legal correctness.

In support of the details so certified, please find attached the following documents:

- A. Copy of State Question 797, Initiative Petition 418
- B. Copy of Proponents' Proposed Ballot Title for SQ797, IP418
- C. Copy of SOS signature tabulation sheets for SQ797, IP418
- D. Copy of total votes cast as certified by the State Election Board--SOS Doc# 047220

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Williamson", written over a horizontal line.

James A. Williamson
Secretary of State

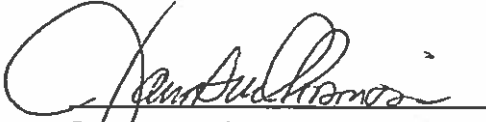
CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was hand delivered, on August 20, 2018 to the following party;

The Honorable Mike Hunter
Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

I also hereby certify that a true and accurate copy of the foregoing was placed in USPS mail, regular first-class, on August 20, 2018, addressed to the proponent(s) of record for SQ796.

Green the Vote LLC
1815 East 15th Street
Tulsa, Oklahoma 74104


James A. Williamson
Secretary of State

Attachment “A”

FILED

APR 03 2018

OKLAHOMA SECRETARY
OF STATE

State Question No.

797

Initiative Petition No.

418

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

Initiative Petition

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election to be held on the ___ day of November, 20 ___, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is: Shall the following proposed amendment to the Constitution be approved?

.....

Text of Measure:

Be it Enacted by the People of the State of Oklahoma:

The constitution of the State of Oklahoma is hereby amended BY THE ADDITION OF A NEW SECTION, SECTION 31, to read:

Section 31. Use and regulation of marijuana

Section 1: Purpose and findings.

(A) IN THE INTEREST OF THE EFFICIENT USE OF LAW ENFORCEMENT RESOURCES, ENHANCING REVENUE FOR PUBLIC PURPOSES, AND INDIVIDUAL FREEDOM, THE PEOPLE OF THE STATE OF OKLAHOMA FIND AND DECLARE THAT THE USE OF MARIJUANA SHOULD BE LEGAL FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER AND TAXED IN A MANNER SIMILAR TO ALCOHOL.

(B) IN THE INTEREST OF THE HEALTH AND PUBLIC SAFETY OF OUR CITIZENRY, THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT MARIJUANA SHOULD BE REGULATED IN A MANNER SIMILAR TO ALCOHOL SO THAT:

(1) INDIVIDUALS WILL HAVE TO SHOW PROOF OF AGE BEFORE PURCHASING MARIJUANA;

(2) SELLING, DISTRIBUTING, OR TRANSFERRING MARIJUANA TO MINORS AND OTHER INDIVIDUALS UNDER THE AGE OF TWENTY-ONE SHALL REMAIN ILLEGAL;

(3) DRIVING UNDER THE INFLUENCE OF MARIJUANA SHALL REMAIN ILLEGAL;

(4) LEGITIMATE, TAXPAYING BUSINESS PEOPLE, AND NOT CRIMINAL ACTORS, WILL CONDUCT SALES OF MARIJUANA; AND

(5) MARIJUANA SOLD IN THIS STATE WILL BE LABELED AND SUBJECT TO ADDITIONAL REGULATIONS REGARDING LABELING AND PRODUCT INFORMATION TO ENSURE THAT CONSUMERS ARE INFORMED AND PROTECTED.

(C) IN THE INTEREST OF ENACTING RATIONAL POLICIES FOR THE TREATMENT OF ALL VARIATIONS OF THE CANNABIS PLANT, THE PEOPLE OF OKLAHOMA FURTHER FIND AND DECLARE THAT INDUSTRIAL HEMP SHOULD BE REGULATED SEPARATELY FROM STRAINS OF CANNABIS WITH HIGHER DELTA-9 TETRAHYDROCANNABINOL (THC) CONCENTRATIONS.

(D) THE PEOPLE OF THE STATE OF OKLAHOMA FURTHER FIND AND DECLARE THAT IT IS NECESSARY TO ENSURE CONSISTENCY AND FAIRNESS IN THE APPLICATION OF THIS SECTION THROUGHOUT THE STATE AND THAT, THEREFORE, THE MATTERS ADDRESSED BY THIS SECTION ARE, EXCEPT AS SPECIFIED HEREIN, MATTERS OF STATEWIDE CONCERN.

Section 2: Definitions. AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES,

(A) "OKLAHOMA MEDICAL MARIJUANA CODE" MEANS TITLE 37B, A NEW TITLE OF THE OKLAHOMA REVISED STATUTES.

(B) "CONSUMER" MEANS A PERSON TWENTY-ONE YEARS OF AGE OR OLDER WHO PURCHASES MARIJUANA OR MARIJUANA PRODUCTS FOR PERSONAL USE BY PERSONS TWENTY-ONE YEARS OF AGE OR OLDER, BUT NOT FOR RESALE TO OTHERS.

(C) "DEPARTMENT" MEANS THE OKLAHOMA TAX COMMISSION OR ITS SUCCESSOR AGENCY.

(D) "INDUSTRIAL HEMP" MEANS THE PLANT OF THE GENUS CANNABIS AND ANY PART OF SUCH PLANT, WHETHER GROWING OR NOT, WITH A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION THAT DOES NOT EXCEED THREE- TENTHS PERCENT ON A DRY WEIGHT BASIS.

(E) "LOCALITY" MEANS A COUNTY, MUNICIPALITY, OR CITY AND COUNTY.

(F) "MARIJUANA" OR "MARIHUANA" MEANS ALL PARTS OF THE PLANT OF THE GENUS CANNABIS WHETHER GROWING OR NOT, THE SEEDS THEREOF, THE RESIN EXTRACTED FROM ANY PART OF THE PLANT, AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT, ITS SEEDS, OR ITS RESIN, INCLUDING MARIHUANA CONCENTRATE. "MARIJUANA" OR "MARIHUANA" DOES NOT INCLUDE INDUSTRIAL HEMP, NOR DOES IT INCLUDE FIBER PRODUCED FROM THE STALKS, OIL, OR CAKE MADE FROM THE SEEDS OF THE PLANT, STERILIZED SEED OF THE PLANT WHICH IS

INCAPABLE OF GERMINATION, OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH MARIJUANA TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK, OR OTHER PRODUCT.

(G) "MARIJUANA ACCESSORIES" MEANS ANY EQUIPMENT, PRODUCTS, OR MATERIALS OF ANY KIND WHICH ARE USED, INTENDED FOR USE, OR DESIGNED FOR USE IN PLANTING, PROPAGATING, CULTIVATING, GROWING, HARVESTING, COMPOSTING, MANUFACTURING, COMPOUNDING, CONVERTING, PRODUCING, PROCESSING, PREPARING, TESTING, ANALYZING, PACKAGING, REPACKAGING, STORING, VAPORIZING, OR CONTAINING MARIJUANA, OR FOR INGESTING, INHALING, OR OTHERWISE INTRODUCING MARIJUANA INTO THE HUMAN BODY.

(H) "MARIJUANA CULTIVATION FACILITY" MEANS AN ENTITY LICENSED TO CULTIVATE, PREPARE, AND PACKAGE MARIJUANA AND SELL MARIJUANA TO RETAIL MARIJUANA STORES, TO MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND TO OTHER MARIJUANA CULTIVATION FACILITIES, BUT NOT TO CONSUMERS.

(I) "MARIJUANA ESTABLISHMENT" MEANS A MARIJUANA CULTIVATION FACILITY, A MARIJUANA TESTING FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE.

(J) "MARIJUANA PRODUCT MANUFACTURING FACILITY" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA; MANUFACTURE, PREPARE, AND PACKAGE MARIJUANA PRODUCTS; AND SELL MARIJUANA AND MARIJUANA PRODUCTS TO OTHER MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO RETAIL MARIJUANA STORES, BUT NOT TO CONSUMERS.

(K) "MARIJUANA PRODUCTS" MEANS CONCENTRATED MARIJUANA PRODUCTS AND MARIJUANA PRODUCTS THAT ARE COMPRISED OF MARIJUANA AND OTHER INGREDIENTS AND ARE INTENDED FOR USE OR CONSUMPTION, SUCH AS, BUT NOT LIMITED TO, EDIBLE PRODUCTS, OINTMENTS, AND TINCTURES.

(L) "MARIJUANA TESTING FACILITY" MEANS AN ENTITY LICENSED TO ANALYZE AND CERTIFY THE SAFETY AND POTENCY OF MARIJUANA.

(M) "MEDICAL MARIJUANA CENTER" MEANS AN ENTITY LICENSED BY A STATE AGENCY TO SELL MARIJUANA AND MARIJUANA PRODUCTS PURSUANT TO SECTION 14 OF THIS ARTICLE.

(N) "RETAIL MARIJUANA STORE" MEANS AN ENTITY LICENSED TO PURCHASE MARIJUANA FROM MARIJUANA CULTIVATION FACILITIES AND MARIJUANA AND MARIJUANA PRODUCTS FROM MARIJUANA PRODUCT MANUFACTURING FACILITIES AND TO SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS.

(O) "UNREASONABLY IMPRACTICABLE" MEANS THAT THE MEASURES NECESSARY TO COMPLY WITH THE REGULATIONS REQUIRE SUCH A HIGH INVESTMENT OF RISK, MONEY, TIME, OR

ANY OTHER RESOURCE OR ASSET THAT THE OPERATION OF A MARIJUANA ESTABLISHMENT IS NOT WORTHY OF BEING CARRIED OUT IN PRACTICE BY A REASONABLY PRUDENT BUSINESSPERSON.

Section 3: Personal use of marijuana. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR THE LAW OF ANY LOCALITY WITHIN OKLAHOMA OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) POSSESSING, USING, DISPLAYING, PURCHASING, OR TRANSPORTING MARIJUANA ACCESSORIES OR TWO OUNCES OR LESS OF MARIJUANA.

(B) TRANSFER OF ONE OUNCE OR LESS OF MARIJUANA WITHOUT REMUNERATION TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(C) CONSUMPTION OF MARIJUANA, PROVIDED THAT NOTHING IN THIS SECTION SHALL PERMIT CONSUMPTION THAT IS CONDUCTED OPENLY AND PUBLICLY OR IN A MANNER THAT ENDANGERS OTHERS.

(D) MARIJUANA USERS MAY NOT BE CHARGED WITH DUI OR DWI OR ANY OTHER CHARGE OF MARIJUANA INTOXICATION OR IMPAIRMENT BASED ON THE RESULTS OF BLOOD, URINE, BREATH TEST, OR ODOR OF MARIJUANA. A FIELD SOBRIETY TEST MUST BE ADMINISTERED TO PROVE IMPAIRMENT TO CHARGE A MARIJUANA USER WITH DUI OR DWI. THESE FIELD SOBRIETY TESTS MUST BE VIDEOED TO BE USED AS EVIDENCE OF IMPAIRMENT AND FAILURE TO DO SO SHALL REQUIRE THAT THE COURT DISMISS THE CHARGES WITH PREJUDICE.

(E) ASSISTING ANOTHER PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER IN ANY OF THE ACTS DESCRIBED IN PARAGRAPHS (A) THROUGH (D) OF THIS SECTION.

Section 4: Lawful operation of marijuana-related facilities. NOT WITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING ACTS ARE NOT UNLAWFUL AND SHALL NOT BE AN OFFENSE UNDER OKLAHOMA LAW OR BE A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER OKLAHOMA LAW FOR PERSONS TWENTY-ONE YEARS OF AGE OR OLDER:

(A) MANUFACTURE, POSSESSION, OR PURCHASE OF MARIJUANA ACCESSORIES OR THE SALE OF MARIJUANA ACCESSORIES TO A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.

(B) POSSESSING, DISPLAYING, OR TRANSPORTING MARIJUANA OR MARIJUANA PRODUCTS; PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY; OR SALE OF MARIJUANA OR MARIJUANA PRODUCTS TO CONSUMERS, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS

PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A RETAIL MARIJUANA STORE OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE OR AGENT OF A LICENSED RETAIL MARIJUANA STORE.

(C) CULTIVATING, HARVESTING, PROCESSING, PACKAGING, TRANSPORTING, DISPLAYING, OR POSSESSING MARIJUANA; DELIVERY OR TRANSFER OF MARIJUANA TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA TO A MARIJUANA CULTIVATION FACILITY, A MARIJUANA PRODUCT MANUFACTURING FACILITY, OR A RETAIL MARIJUANA STORE; OR THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA CULTIVATION FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA CULTIVATION FACILITY.

(D) PACKAGING, PROCESSING, TRANSPORTING, MANUFACTURING, DISPLAYING, OR POSSESSING MARIJUANA OR MARIJUANA PRODUCTS; DELIVERY OR TRANSFER OF MARIJUANA OR MARIJUANA PRODUCTS TO A MARIJUANA TESTING FACILITY; SELLING MARIJUANA OR MARIJUANA PRODUCTS TO A RETAIL MARIJUANA STORE OR A MARIJUANA PRODUCT MANUFACTURING FACILITY; THE PURCHASE OF MARIJUANA FROM A MARIJUANA CULTIVATION FACILITY; OR THE PURCHASE OF MARIJUANA OR MARIJUANA PRODUCTS FROM A MARIJUANA PRODUCT MANUFACTURING FACILITY, IF THE PERSON CONDUCTING THE ACTIVITIES DESCRIBED IN THIS PARAGRAPH HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA PRODUCT MANUFACTURING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA PRODUCT MANUFACTURING FACILITY.

(E) POSSESSING, CULTIVATING, PROCESSING, REPACKAGING, STORING, TRANSPORTING, DISPLAYING, TRANSFERRING OR DELIVERING MARIJUANA OR MARIJUANA PRODUCTS IF THE PERSON HAS OBTAINED A CURRENT, VALID LICENSE TO OPERATE A MARIJUANA TESTING FACILITY OR IS ACTING IN HIS OR HER CAPACITY AS AN OWNER, EMPLOYEE, OR AGENT OF A LICENSED MARIJUANA TESTING FACILITY.

(F) LEASING OR OTHERWISE ALLOWING THE USE OF PROPERTY OWNED, OCCUPIED OR CONTROLLED BY ANY PERSON, CORPORATION OR OTHER ENTITY FOR ANY OF THE ACTIVITIES CONDUCTED LAWFULLY IN ACCORDANCE WITH PARAGRAPHS (A) THROUGH (F) OF THIS SECTION.

Section 5: Regulation of marijuana.

(A) NOT LATER THAN JUNE 1, 2019, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR IMPLEMENTATION OF THIS SECTION. SUCH REGULATIONS SHALL NOT PROHIBIT THE OPERATION OF MARIJUANA ESTABLISHMENTS, EITHER EXPRESSLY OR THROUGH REGULATIONS THAT MAKE THEIR OPERATION UNREASONABLY IMPRACTICABLE. SUCH REGULATIONS SHALL INCLUDE:

(1) PROCEDURES FOR THE ISSUANCE, RENEWAL, SUSPENSION, AND REVOCATION OF A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT, WITH SUCH PROCEDURES SUBJECT TO ALL REQUIREMENTS OF TITLE 75 SECTION 250 ET SEQ OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION;

(2) A SCHEDULE OF APPLICATION, LICENSING AND RENEWAL FEES, PROVIDED, APPLICATION FEES SHALL NOT EXCEED THIRTY THOUSAND DOLLARS, WITH THIS UPPER LIMIT ADJUSTED ANNUALLY FOR INFLATION, UNLESS THE DEPARTMENT DETERMINES A GREATER FEE IS NECESSARY TO CARRY OUT ITS RESPONSIBILITIES UNDER THIS SECTION, AND PROVIDED FURTHER, AN ENTITY THAT IS LICENSED UNDER OKLAHOMA LAW TO CULTIVATE OR SELL MARIJUANA OR TO MANUFACTURE MARIJUANA PRODUCTS AT THE TIME THIS SECTION TAKES EFFECT AND THAT CHOOSES TO APPLY FOR A SEPARATE MARIJUANA ESTABLISHMENT LICENSE SHALL NOT BE REQUIRED TO PAY AN APPLICATION FEE GREATER THAN TEN THOUSAND DOLLARS TO APPLY FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION;

(3) QUALIFICATIONS FOR LICENSURE THAT ARE DIRECTLY AND DEMONSTRABLY RELATED TO THE OPERATION OF A MARIJUANA ESTABLISHMENT;

(4) SECURITY REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS;

(5) REQUIREMENTS TO PREVENT THE SALE OR DIVERSION OF MARIJUANA AND MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE;

(6) LABELING REQUIREMENTS FOR MARIJUANA AND MARIJUANA PRODUCTS SOLD OR DISTRIBUTED BY A MARIJUANA ESTABLISHMENT;

(7) HEALTH AND SAFETY REGULATIONS AND STANDARDS FOR THE MANUFACTURE OF MARIJUANA PRODUCTS AND THE CULTIVATION OF MARIJUANA;

(8) RESTRICTIONS ON THE ADVERTISING AND DISPLAY OF MARIJUANA AND MARIJUANA PRODUCTS; AND

(9) CIVIL PENALTIES FOR THE FAILURE TO COMPLY WITH REGULATIONS MADE PURSUANT TO THIS SECTION.

(B) IN ORDER TO ENSURE THE MOST SECURE, RELIABLE, AND ACCOUNTABLE SYSTEM FOR THE PRODUCTION AND DISTRIBUTION OF MARIJUANA AND MARIJUANA PRODUCTS IN ACCORDANCE WITH THIS SECTION, IN ANY COMPETITIVE APPLICATION PROCESS THE DEPARTMENT SHALL HAVE AS A PRIMARY CONSIDERATION WHETHER AN APPLICANT:

(1) HAS PRIOR EXPERIENCE PRODUCING OR DISTRIBUTING

ALCOHOLIC BEVERAGES OR MARIJUANA OR MARIJUANA PRODUCTS IN THE LOCALITY IN WHICH THE APPLICANT SEEKS TO OPERATE A MARIJUANA ESTABLISHMENT;

(2) CURRENTLY POSSESSES A PROFESSIONAL LICENSE ISSUED BY THE STATE OF OKLAHOMA WHICH REQUIRED THE APPLICANT TO UNDERGO A CRIMINAL BACKGROUND CHECK AND CHARACTER AND/OR FITNESS EVALUATION PRIOR TO ISSUANCE OF SAID LICENSE;

(3) IS A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHIC MEDICINE;

(4) HAS BEEN A RESIDENT OF THE STATE OF OKLAHOMA FOR MORE THAN TEN YEARS; AND

(5) HAS, DURING THE EXPERIENCE DESCRIBED IN SUBPARAGRAPH (1), COMPLIED CONSISTANTLY WITH ALL REGULATIONS RELATED THERETO.

(C) IN ORDER TO ENSURE THAT INDIVIDUAL PRIVACY IS PROTECTED, THE DEPARTMENT SHALL NOT REQUIRE A CONSUMER TO PROVIDE A RETAIL MARIJUANA STORE WITH PERSONAL INFORMATION OTHER THAN GOVERNMENT-ISSUED IDENTIFICATION TO DETERMINE THE CONSUMER'S AGE, AND A RETAIL MARIJUANA STORE SHALL NOT BE REQUIRED TO ACQUIRE AND RECORD PERSONAL INFORMATION ABOUT CONSUMERS OTHER THAN INFORMATION TYPICALLY ACQUIRED IN A FINANCIAL TRANSACTION CONDUCTED AT A RETAIL LIQUOR STORE.

(D) THE OKLAHOMA LEGISLATURE SHALL ENACT AN EXCISE TAX TO BE LEVIED UPON MARIJUANA SOLD OR OTHERWISE TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY TO A MARIJUANA PRODUCT MANUFACTURING FACILITY OR TO A RETAIL MARIJUANA STORE AT A RATE NOT TO EXCEED FIFTEEN PERCENT PRIOR TO JANUARY 1, 2020 AND SHALL DIRECT THE DEPARTMENT TO ESTABLISH PROCEDURES FOR THE COLLECTION OF ALL TAXES LEVIED. PROVIDED, THE FIRST FIFTY MILLION DOLLARS IN REVENUE RAISED ANNUALLY FROM ANY SUCH EXCISE TAX SHALL BE DIVIDED AND DISTRIBUTED TO ALL SCHOOL DISTRICTS IN THE STATE OF OKLAHOMA PROPORTANTE TO THE TOTAL PERCENTAGE OF ENROLLED STUDENTS IN EACH DISTRICT AS COMPARED TO THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE STATE OF OKLAHOMA. ALL FUNDS RECEIVED BY ANY SCHOOL DISTRICT SHALL BE USED ONLY FOR TEACHER COMPENSATION, WHICH MAY INCLUDE BENEFITS, AND MAY NOT BE USED TO PAY SCHOOL DISTRICT ADMINISTRATION ABOVE THE INDIVIDUAL SCHOOL LEVEL. NOTHING IN THIS SECTION SHALL BE DEEMED A LIMITATION ON THE STATE OF OKLAHOMA TO AUTHORIZE THE USE OF MARIJUANA FOR MEDICINAL PURPOSES AND TO TAX SUCH MARIJUANA AT A LOWER RATE THAN OUTLINED HEREIN.

(E) PROVIDED FURTHER, A STATEWIDE SALES TAX WILL BE ESTABLISHED NOT TO EXCEED 20%. THIS TAX WILL BE COLLECTED AT THE POINT OF RETAIL SALE. THIS TAX SHALL BE DIVIDED WITH 50% GOING TO THE OKLAHOMA STATE

DEPARTMENT OF EDUCATION GENERAL FUND AND 25% GOING TO THE OKLAHOMA STATE DEPARTMENT OF HEALTH AND EARMARKED FOR DRUG AND ALCOHOL REHABILITATION AND 25% GOING TO THE STATE OF OKLAHOMA GENERAL FUND.

(F) NOT LATER THAN July 1, 2020, EACH LOCALITY SHALL ENACT AN ORDINANCE OR REGULATION SPECIFYING THE ENTITY WITHIN THE LOCALITY THAT IS RESPONSIBLE FOR PROCESSING APPLICATIONS SUBMITTED FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE BOUNDARIES OF THE LOCALITY AND FOR THE ISSUANCE OF SUCH LICENSES SHOULD THE ISSUANCE BY THE LOCALITY BECOME NECESSARY BECAUSE OF A FAILURE BY THE DEPARTMENT TO ADOPT REGULATIONS PURSUANT TO PARAGRAPH (A) OR BECAUSE OF A FAILURE BY THE DEPARTMENT TO PROCESS AND ISSUE LICENSES AS REQUIRED BY PARAGRAPH (G).

(G) A LOCALITY MAY ENACT ORDINANCES OR REGULATIONS, NOT IN CONFLICT WITH THIS SECTION OR WITH REGULATIONS OR LEGISLATION ENACTED PURSUANT TO THIS SECTION, GOVERNING THE TIME, PLACE, MANNER AND NUMBER OF MARIJUANA ESTABLISHMENT OPERATIONS; ESTABLISHING PROCEDURES FOR THE ISSUANCE, SUSPENSION, AND REVOCATION OF A LICENSE ISSUED BY THE LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I), SUCH PROCEDURES TO BE SUBJECT TO ALL REQUIREMENTS OF TITLE 75, SECTION 250 ET SEQ. OF THE OKLAHOMA ADMINISTRATIVE PROCEDURE ACT OR ANY SUCCESSOR PROVISION; ESTABLISHING A SCHEDULE OF ANNUAL OPERATING, LICENSING, AND APPLICATION FEES FOR MARIJUANA ESTABLISHMENTS, PROVIDED, THE APPLICATION FEE SHALL ONLY BE DUE IF AN APPLICATION IS SUBMITTED TO A LOCALITY IN ACCORDANCE WITH PARAGRAPH (I) AND A LICENSING FEE SHALL ONLY BE DUE IF A LICENSE IS ISSUED BY A LOCALITY IN ACCORDANCE WITH PARAGRAPH (H) OR (I); AND ESTABLISHING CIVIL PENALTIES FOR VIOLATION OF AN ORDINANCE OR REGULATION GOVERNING THE TIME, PLACE, AND MANNER OF A MARIJUANA ESTABLISHMENT THAT MAY OPERATE IN SUCH LOCALITY. A LOCALITY MAY PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH AN INITIATED OR REFERRED MEASURE; PROVIDED, ANY INITIATED OR REFERRED MEASURE TO PROHIBIT THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES MUST APPEAR ON A GENERAL ELECTION BALLOT DURING AN EVEN NUMBERED YEAR.

(H) EACH APPLICATION FOR AN ANNUAL LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT SHALL BE SUBMITTED TO THE DEPARTMENT. THE DEPARTMENT SHALL:

(I) BEGIN ACCEPTING AND PROCESSING APPLICATIONS ON January 2, 2020;

(2) IMMEDIATELY FORWARD A COPY OF EACH APPLICATION AND HALF OF THE LICENSE APPLICATION FEE TO THE LOCALITY IN WHICH THE APPLICANT DESIRES TO OPERATE THE MARIJUANA ESTABLISHMENT;

(3) ISSUE AN ANNUAL LICENSE TO THE APPLICANT BETWEEN FORTY-FIVE AND NINETY DAYS AFTER RECEIPT OF AN APPLICATION UNLESS THE DEPARTMENT FINDS THE APPLICANT IS NOT IN COMPLIANCE WITH REGULATIONS ENACTED PURSUANT TO PARAGRAPH (A) OR THE DEPARTMENT IS NOTIFIED BY THE RELEVANT LOCALITY THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) AND IN EFFECT AT THE TIME OF APPLICATION, PROVIDED, WHERE A LOCALITY HAS ENACTED A NUMERICAL LIMIT ON THE NUMBER OF MARIJUANA ESTABLISHMENTS AND A GREATER NUMBER OF APPLICANTS SEEK LICENSES, THE DEPARTMENT SHALL SOLICIT AND CONSIDER INPUT FROM THE LOCALITY AS TO THE LOCALITY'S PREFERENCE OR PREFERENCES FOR LICENSURE; AND

(4) UPON DENIAL OF AN APPLICATION, NOTIFY THE APPLICANT IN WRITING OF THE SPECIFIC REASON FOR ITS DENIAL AND DETAILING ALL STEPS THE APPLICANT MUST TAKE IN ORDER TO OBTAIN A LICENSE. APPLICANT MAY SUBMIT ONE ADDITIONAL APPLICATION WITHOUT FEE SHOULD APPLICANT BE DENIED ON AN INITIAL APPLICATION.

(H) IF THE DEPARTMENT DOES NOT ISSUE A LICENSE TO AN APPLICANT WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION FILED IN ACCORDANCE WITH PARAGRAPH (G) AND DOES NOT NOTIFY THE APPLICANT OF THE SPECIFIC REASON FOR ITS DENIAL, IN WRITING AND WITHIN SUCH TIME PERIOD, OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) AND HAS ACCEPTED APPLICATIONS PURSUANT TO PARAGRAPH (G) BUT HAS NOT ISSUED ANY LICENSES BY JULY 1, 2020, THE APPLICANT MAY RESUBMIT ITS APPLICATION DIRECTLY TO THE LOCALITY, PURSUANT TO PARAGRAPH (E), AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE RESUBMITTED APPLICATION UNLESS THE LOCALITY FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME THE APPLICATION IS RESUBMITTED AND THE LOCALITY SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. IF AN APPLICATION IS SUBMITTED TO A LOCALITY UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL FORWARD TO THE LOCALITY THE APPLICATION FEE PAID BY THE APPLICANT TO THE DEPARTMENT UPON REQUEST BY THE LOCALITY. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS ONLY

UPON RESUBMISSION TO THE LOCALITY OF A NEW APPLICATION SUBMITTED TO THE DEPARTMENT PURSUANT TO PARAGRAPH (G). NOTHING IN THIS PARAGRAPH SHALL LIMIT SUCH RELIEF AS MAY BE AVAILABLE TO AN AGGRIEVED PARTY FOR FAILURE TO ISSUE A LICENSE.

(I) IF THE DEPARTMENT DOES NOT ADOPT REGULATIONS REQUIRED BY PARAGRAPH (A), AN APPLICANT MAY SUBMIT AN APPLICATION DIRECTLY TO A LOCALITY AFTER JANUARY 1, 2020 AND THE LOCALITY MAY ISSUE AN ANNUAL LICENSE TO THE APPLICANT. A LOCALITY ISSUING A LICENSE TO AN APPLICANT SHALL DO SO WITHIN NINETY DAYS OF RECEIPT OF THE APPLICATION UNLESS IT FINDS AND NOTIFIES THE APPLICANT THAT THE APPLICANT IS NOT IN COMPLIANCE WITH ORDINANCES AND REGULATIONS MADE PURSUANT TO PARAGRAPH (F) IN EFFECT AT THE TIME OF APPLICATION AND SHALL NOTIFY THE DEPARTMENT IF AN ANNUAL LICENSE HAS BEEN ISSUED TO THE APPLICANT. A LICENSE ISSUED BY A LOCALITY IN ACCORDANCE WITH THIS PARAGRAPH SHALL HAVE THE SAME FORCE AND EFFECT AS A LICENSE ISSUED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (G) AND THE HOLDER OF SUCH LICENSE SHALL NOT BE SUBJECT TO REGULATION OR ENFORCEMENT BY THE DEPARTMENT DURING THE TERM OF THAT LICENSE. A SUBSEQUENT OR RENEWED LICENSE MAY BE ISSUED UNDER THIS PARAGRAPH ON AN ANNUAL BASIS IF THE DEPARTMENT HAS NOT ADOPTED REGULATIONS REQUIRED BY PARAGRAPH (A) AT LEAST ONE HUNDRED AND EIGHTY DAYS PRIOR TO THE DATE UPON WHICH SUCH SUBSEQUENT OR RENEWED LICENSE WOULD BE EFFECTIVE OR IF THE DEPARTMENT HAS ADOPTED REGULATIONS PURSUANT TO PARAGRAPH (A) BUT HAS NOT, AT LEAST NINETY DAYS AFTER THE ADOPTION OF SUCH REGULATIONS, ISSUED LICENSES PURSUANT TO PARAGRAPH (G).

(J) NOT LATER THAN NOVEMBER 1, 2020, THE OKLAHOMA LEGISLATURE SHALL ENACT LEGISLATION GOVERNING THE CULTIVATION, PROCESSING AND SALE OF INDUSTRIAL HEMP.

Section 6: Employers, driving, minors and control of property.

(A) NOTHING IN THIS SECTION IS INTENDED TO REQUIRE AN EMPLOYER TO PERMIT OR ACCOMMODATE THE USE, CONSUMPTION, POSSESSION, TRANSFER, DISPLAY, TRANSPORTATION, SALE OR GROWING OF MARIJUANA IN THE WORKPLACE OR TO AFFECT THE ABILITY OF EMPLOYERS TO HAVE POLICIES RESTRICTING THE USE OF MARIJUANA BY EMPLOYEES.

(B) NOTHING IN THIS SECTION IS INTENDED TO ALLOW DRIVING UNDER THE INFLUENCE OF MARIJUANA OR DRIVING WHILE IMPAIRED BY MARIJUANA, NOR SHALL THIS SECTION PREVENT THE STATE FROM ENACTING AND IMPOSING PENALTIES FOR DRIVING UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY MARIJUANA.

(C) NOTHING IN THIS SECTION IS INTENDED TO PERMIT THE TRANSFER OF MARIJUANA, WITH OR WITHOUT REMUNERATION, TO A PERSON UNDER THE AGE OF TWENTY-ONE

OR TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE TO PURCHASE, POSSESS, USE, TRANSPORT, GROW, OR CONSUME MARIJUANA.

(D) NOTHING IN THIS SECTION SHALL PROHIBIT A PERSON, EMPLOYER, SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION OR ANY OTHER ENTITY WHO OCCUPIES, OWNS OR CONTROLS A PROPERTY FROM PROHIBITING OR OTHERWISE REGULATING THE POSSESSION, CONSUMPTION, USE, DISPLAY, TRANSFER, DISTRIBUTION, SALE, TRANSPORTATION, OR GROWING OF MARIJUANA ON OR IN THAT PROPERTY.

Section 7: Medical marijuana provisions unaffected. NOTHING IN THIS SECTION SHALL BE CONSTRUED:

(A) TO LIMIT ANY PRIVILEGES OR RIGHTS OF A MEDICAL MARIJUANA PATIENT, PRIMARY CAREGIVER, OR LICENSED ENTITY AS AUTHORIZED UNDER OKLAHOMA LAW;

(B) TO PERMIT A MEDICAL MARIJUANA CENTER TO DISTRIBUTE MARIJUANA TO A PERSON WHO IS NOT A MEDICAL MARIJUANA PATIENT;

(C) TO PERMIT A MEDICAL MARIJUANA CENTER TO PURCHASE MARIJUANA OR MARIJUANA PRODUCTS IN A MANNER OR FROM A SOURCE NOT AUTHORIZED UNDER CURRENT OKLAHOMA LAW;

Section 8: Self-executing, severability, conflicting provisions. ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING EXCEPT AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE ALL CONFLICTING STATE STATUTORY, LOCAL CHARTER, ORDINANCE, OR RESOLUTION, AND ALL OTHER STATE AND LOCAL PROVISIONS.

Section 9: Effective date. UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL CERTIFICATION OF THE VOTE HEREON.

Name and Address of Proponent(s):
Green The Vote LLC
1815 East 15th Street
Tulsa Oklahoma 74104

This measure, if passed, would amend the constitution of the State of Oklahoma and allow for the regulation of marijuana; permitting a person twenty-one years of age or older to consume or possess limited amounts of marijuana; providing for the licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores; permitting local governments to regulate or prohibit such facilities; requiring the general assembly to enact an excise tax to be levied upon wholesale sales of marijuana; requiring that the first fifty million in revenue raised annually by such tax be credited to public education; and requiring the general assembly to enact legislation governing the cultivation, processing, and sale of industrial hemp.

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or her is not a legal voter."

	SIGNATURE	PRINTED NAME	ADDRESS	CITY	ZIP	COUNTY
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AFFIDAVIT

STATE OF OKLAHOMA)
)
COUNTY OF _____)

I, _____, being first duly sworn say:
That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma.

Circulator's Signature

Post Office Address

City Zip code

Subscribed and sworn to before me this ____ day of _____ 2018.

(Affix Seal Here)

Notary Public

Post Office Address

City Zip code

My Commission Number is: _____

My Commission Expires: _____

Attachment “B”

FILED

APR 03 2018

**OKLAHOMA SECRETARY
OF STATE**

Proposed Ballot Title:

Shall there be an amendment to the Oklahoma constitution concerning adult use marijuana, and, in connection therewith, providing for the regulation of marijuana; permitting a person twenty-one years of age or older to consume or possess limited amounts of marijuana; providing for the licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores; permitting local governments to regulate or prohibit such facilities; requiring the general assembly to enact an excise tax to be levied upon wholesale sales of marijuana; requiring that the first \$40 million in revenue raised annually by such tax be credited to the public school capital construction assistance fund; and requiring the general assembly to enact legislation governing the cultivation, processing, and sale of industrial hemp.

Attachment “C”

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 2

Consisting of 200 signature sheets

Page numbered 201 through 400

with approximately 3270 signatures

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 3

Consisting of 200 signature sheets

Page numbered 401 through 600

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**STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418**

VOLUME NO. 4

Consisting of 200 signature sheets

Page numbered 601 through 800

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**STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418**

VOLUME NO. 5

Consisting of 200 signature sheets

Page numbered 801 through 1000

with approximately 3704 signatures

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INITIATIVE PETITION NO. 418

VOLUME NO. 6

Consisting of 200 signature sheets

Page numbered 1001 through 1200

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**STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418**

VOLUME NO. 7

Consisting of 200 signature sheets

Page numbered 1201 through 1400

with approximately 3461 signatures

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 8

Consisting of 200 signature sheets

Page numbered 1401 through 1600

with approximately 3297 signatures

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[illegible]

with approximately 3710 signatures

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 10

Consisting of 200 signature sheets

Page numbered 1801 through 2000

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**STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418**

VOLUME NO. 11

Consisting of 200 signature sheets

Page numbered 2001 through 2200

with approximately 3685 signatures

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 12

Consisting of 200 signature sheets

age numbered 2201 through 2400

with approximately 3706 signatures

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 13

Consisting of 200 signature sheets

Page numbered 2401 through 2600

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 14

Consisting of 200 signature sheets

Page numbered 201 through 2800

with approximately 3079 signatures

VOLUME NO. 15

Page numbered 2801 through 3000

with approximately 3551 signatures

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VOLUME NO. 16

Consisting of 200 signature sheets

Page numbered 3001 through 3200

with approximately 3566 signatures

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 17

Consisting of 200 signature sheets

Page numbered 3201 through 3400

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 19

Consisting of 200 signature sheets

Page numbered 3601 through 3800

with approximately 3459 signatures

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INITIATIVE PETITION NO. 418

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Consisting of 200 signature sheets

Page numbered 3801 through 4000

with approximately 3247 signatures

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INITIATIVE PETITION NO. 418

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Consisting of 200 signature sheets

Page numbered 4001 through 4200

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 22

Consisting of 200 signature sheets

Page numbered 4201 through 4400

with approximately 3763 signatures

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 23

Consisting of 200 signature sheets

Page numbered 4401 through 4600

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STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 824

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Page numbered 4601 through 4800

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20" +

20" +

200*****

3,622 *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 25

0. *

Consisting of 200 signature sheets

20. +

20. +

20. +

20. -

Page numbered 4801 through 5000

10. +

8. +

15. +

15. +

2. +

with approximately 3624 signatures

10. +

19. +

19. +

12. +

10. +

16. +

4. +

14. +

3. +

17. +

15. +

15. +

7. +

13. +

14. +

14. +

20. +

20. +

20. +

19. +

20. +

20. +

20. +

20. +

200.....

3,624. *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 26

Consisting of 200 signature sheets

Page numbered 5001 through 5200

with approximately 3809 signatures

0. *

20. +

17. +

19. +

19. +

20. +

19. +

20. +

19. +

18. +

17. +

19. +

19. +

20. +

19. +

20. +

16. +

20. +

19. +

20. +

16. +

19. +

17. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

20. +

19. +

20. +

20. +

200.....

3,809. *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 27

Consisting of 200 signature sheets

Page numbered 5201 through 5400

with approximately 3495 signatures

0. *

20. +

20. +

20. +

18. +

18. +

14. +

17. +

11. +

20. +

20. +

1. +

19. +

20. +

19. +

20. +

20. +

20. +

20. +

20. +

20. +

19. +

11. +

19. +

19. +

11. +

5. +

20. +

20. +

14. +

20. +

18. +

18. +

18. +

17. +

9. +

18. +

19. +

16. +

18. +

20. +

20. +

200.....

3,495. *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 28

Consisting of 200 signature sheets

Page numbered 5401 through 5600

with approximately 3597 signatures

0. *

18. +

18. +

19. +

20. +

20. +

18. +

20. +

20. +

20. +

20. +

20. +

19. +

1. +

11. +

19. +

14. +

6. +

10. +

20. +

20. +

20. +

20. +

20. +

19. +

20. +

20. +

20. +

20. +

19. +

20. +

20. +

19. +

18. +

15. +

20. +

19. +

19. +

19. +

19. +

19. +

18. +

18. +

1. +

6. +

7. +

200.....

3,597. *

0* *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 29

0* *

Consisting of 200 signature sheets

Page numbered 5601 through 5800

with approximately 3771 signatures

20+ +

20+ +

20+ +

20+ +

19+ +

19+ +

20+ +

19+ +

20+ +

19+ +

20+ +

20+ +

20+ +

20+ +

20+ +

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20+ +

20+ +

20+ +

20+ +

20+ +

20+ +

20+ +

20+ +

20+ +

20+ +

19+ +

19+ +

17+ +

20+ +

20+ +

9+ +

200.....

3,771* *

STATE QUESTION NO. 797
INITIATIVE PETITION NO. 418

VOLUME NO. 30

Consisting of 200 signature sheets

Page numbered 5801 through 5000

with approximately 1375 signatures

0. *
20. +
20. +
9. +
20. +
20. +
3. +
13. +
13. -
18. +
7. +
10. +
20. +
20. +
20. +
8. +
5. +
19. +
17. +
16. +
4. +
19. +
19. +
3. +
5. +
5. +
13. +
13. +
17. +
9. +
19. +
19. +
9. +
3. +
0. +
0. +
0. +
0. +
0. +
0. +
0. +
0. +

200.....

1,375. *

VOLUME NO. 3

Page numbered 6001 through 6027

with approximately 0 signatures

0. *

Attachment “D”



Oklahoma State Election Board

ROOM B-5 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2311

FILED

November 20, 2014

DEC 18 2014

**OKLAHOMA SECRETARY
OF STATE**

The Honorable Chris Bengé
Secretary of State
Room 101, State Capitol
Oklahoma City, Oklahoma 73105

Dear Mr. Bengé:

Subsequent to the November 4, 2014, General Election, I am able to provide the following information.

The total votes cast for the office of Governor at the General Election in 2014 were 824,831. Signature requirements for the types of petitions listed below are derived by applying the parenthetical percentages indicated and are valid from November 13, 2014, through November 13, 2018.

Referendum	(5%).....	41,242
Initiative	(8%).....	65,987
Initiative for Constitutional Change	(15%).....	123,725
Rejected Initiative or Referendum Measures	(25%).....	206,208

Signature requirements for certain types of petitions are based on the total votes cast in the last General Election for President. In the November 6, 2012, General Election, the total votes cast for Presidential Electors were 1,334,872. Signature requirements for the following types of petitions are derived by applying the parenthetical percentages indicated and are valid from November 14, 2012, through November 15, 2016.

Independent Presidential Electors	(3%).....	40,047
Unrecognized Party Presidential Electors	(3%).....	40,047

047220

The signature requirement for a petition for formation of a new political party is based on the total votes cast in the last General Election either for Governor or for electors for President and Vice President. In the November 4, 2014, General Election, the total votes cast for Governor were 824,831. The signature requirement for the following petition is derived by applying the parenthetical percentage indicated and is valid from November 13, 2014, through November 15, 2016.

Formation of New Political Party (5%)41,242

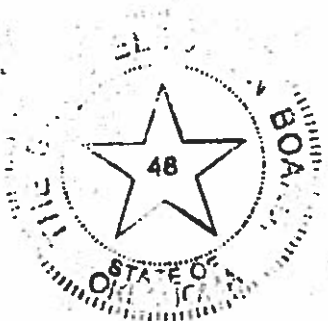
Sincerely,


PAUL ZIRIAS, Secretary
State Election Board

This is a true and correct copy of a document
on file with the State Election Board.


(Sdtd)

12-18-2014



25



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA
 MAILED
 SUPREME COURT
 STATE OF OKLAHOMA

IN RE:)
)
 INITIATIVE PETITION NO. 417,)
) No. 117,293
 STATE QUESTION NO. 796.)
)
 IN RE:)
)
 INITIATIVE PETITION NO. 418,)
) No. 117,298
 STATE QUESTION NO. 797.)

SEP 10 2018

JOHN D. HADDEN
 CLERK

Rec'd (date)	9-10-18
Posted	<i>RE</i>
Mailed	<i>RE</i>
Distrib	<i>RE</i>
Publish	yes <i>no</i>

ORDER

The Court recognizes the Secretary of State's certifications of the physical signature counts for Initiative Petition No. 417, State Question No. 796, and Initiative Petition No. 418, State Question 797, which certifications were filed pursuant to 34 O.S.Supp.2015 § 8(H), commencing Causes Nos. 117,293 and 117,298, respectively, which we hereby consolidate for disposition by a single order under surviving No. 117,293. Both initiative petitions call for constitutional change.

For Cause No. 117,293 the Secretary of State certifies the total number of signatures counted for Initiative Petition No. 417, State Question No. 796, is **95,176**. According to the Oklahoma State Election Board the minimum number required for an initiative petition for constitutional change is **123,725** (or 15% of the total number of votes cast for the office of Governor at the General

Election in 2014). The number of signatures certified by the Secretary of State is therefore declared numerically insufficient.

For Cause No. 117,298 the Secretary of State certifies the total number of signatures counted for Initiative Petition No. 418, State Question No. 797, is **102,814**. Inasmuch as the minimum number required for an initiative petition for constitutional change is **123,725**, the number of signatures certified by the Secretary of State is hereby declared numerically insufficient.

The terms of 34 O.S.Supp. § 8(l) expressly provide that upon order of this Court the Secretary of State shall "cause to be published . . . a notice of the filing of the signed petitions and the apparent sufficiency or insufficiency thereof. . . ." We, however, dispense with this notice requirement, because no citizen or citizens, as required by § 8(A), is a proponent of either initiative petition. This conclusion is drawn from a review of the record produced here by the Secretary of State in each of the filed causes. The sole proponent of both initiative petitions is reflected in the paperwork as "Green The Vote LLC, 1815 East 15th Street, Tulsa, Oklahoma 74104." Limited liability companies are not "citizens" within the meaning of § 8(A), which provides:

A. When **a citizen or citizens** desire to circulate a petition initiating a proposition of any nature, whether to become a statute law or an amendment to the Constitution, or for the purpose of invoking a referendum upon legislative enactments, **such citizen or citizens shall, when such petition is prepared, and before the same is circulated or signed by electors, file a true and exact copy of same in the office of the Secretary of State and shall at the same time file a separate ballot title**, which shall not be part of or printed on the petition. (Emphasis added.)

See also Art. 24 § 3, Okla.Const.; *Pierce v. Cartwright*, 1981 OK 151, ¶ 6, 638 P.2d 450, 452.

The proceedings brought by the Secretary of State are facially defective for want of a citizen-proponent and are therefore dismissed.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE
THIS 10th DAY OF SEPTEMBER, 2018.


CHIEF JUSTICE

ALL JUSTICES CONCUR.